MISSISSIPPI LEGISLATURE REGULAR SESSION 2023

By: Representative Anderson (110th)

To: Apportionment and Elections

HOUSE BILL NO. 607

AN ACT TO REQUIRE A VOTING PRECINCT TO BE LOCATED ON THE CAMPUS OF EACH PUBLIC OR PRIVATE FOUR-YEAR POSTSECONDARY INSTITUTION OF HIGHER LEARNING; TO PROVIDE THAT SUCH VOTING PRECINCT SHALL BE USED BY STUDENTS WHO ARE DULY ENROLLED IN A PROGRAM OF STUDY AND RESIDE ON THE CAMPUS OF THE POSTSECONDARY INSTITUTION OF HIGHER LEARNING WHERE THE VOTING PRECINCT IS LOCATED OR WHO RESIDE IN OFF-CAMPUS INSTITUTIONAL HOUSING; TO REQUIRE THE COUNTY BOARD OF SUPERVISORS AND THE GOVERNING AUTHORITY OF THE MUNICIPALITY WHEREIN THE POSTSECONDARY INSTITUTION OF HIGHER LEARNING IS LOCATED TO WORK WITH THE INSTITUTION'S ADMINISTRATIVE LEADERSHIP AND THE OFFICE OF THE SECRETARY OF STATE TO ENSURE THAT A VOTING PRECINCT IS LOCATED ON THE MAIN CAMPUS OF SUCH POSTSECONDARY INSTITUTIONS; TO REQUIRE THE GOVERNING AND ADMINISTRATIVE ENTITIES RESPONSIBLE FOR ENSURING THE LOCATING OF VOTER PRECINCTS ON THE CAMPUS OF CERTAIN POSTSECONDARY INSTITUTIONS TO HAVE DESIGNATED THE ON-CAMPUS VOTING PRECINCT BY SEPTEMBER 15, 2023, AND TO PROVIDE REASONABLE NOTICE OF ITS LOCATION THROUGH CERTAIN METHODS OF PUBLICATION; TO PROVIDE THAT ANY STUDENT DULY ENROLLED IN A PROGRAM OF STUDY AT A PUBLIC OR PRIVATE FOUR-YEAR POSTSECONDARY INSTITUTION OF HIGHER LEARNING WHO RESIDES ON CAMPUS OF THE POSTSECONDARY INSTITUTION OF HIGHER LEARNING WHERE THE VOTING PRECINCT IS LOCATED OR WHO RESIDES IN OFF-CAMPUS INSTITUTIONAL HOUSING SHALL BE ELIGIBLE TO VOTE AT THE ON-CAMPUS VOTING PRECINCT PROVIDED THAT CERTAIN CONDITIONS ARE MET; TO PRESCRIBE THE QUALIFICATION CONDITIONS THAT MAKE STUDENTS ELIGIBLE TO VOTE AT ON-CAMPUS VOTING PRECINCTS; TO BRING FORWARD SECTIONS 23-15-11, 23-15-13, 23-15-33 AND 23-15-35, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO AMEND SECTION 23-15-37, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COUNTY REGISTRAR TO FURNISH MAIL-IN VOTER REGISTRATION APPLICATIONS TO EACH ELIGIBLE POSTSECONDARY INSTITUTION OF HIGHER LEARNING IN A REASONABLE TIME TO ENABLE UNREGISTERED STUDENTS WHO ARE EIGHTEEN YEARS OF AGE AND OLDER TO BE ABLE TO VOTE IN PRIMARY AND GENERAL ELECTIONS; TO REQUIRE EACH ELIGIBLE POSTSECONDARY INSTITUTION OF

HIGHER LEARNING TO PERMIT ACCESS TO THE COUNTY REGISTRAR TO REGISTER ELIGIBLE VOTERS AND TO PROVIDE VOTER EDUCATION; TO BRING FORWARD SECTIONS 23-15-39, 23-15-41, 23-15-43, 23-15-45, 23-15-47 AND 23-15-49, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO AMEND SECTION 23-15-281, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING FORWARD SECTIONS 23-15-283 AND 23-15-285, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO AMEND SECTION 23-15-557, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING FORWARD SECTION 23-15-563, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) There shall be located, on the campus of each public or private four-year postsecondary institution of higher learning, a voting precinct to be used by students who are duly enrolled in a program of study and reside on the campus of the postsecondary institution of higher learning where the voting precinct is located or who reside in off-campus institutional housing. It shall be the responsibility of the county board of supervisors and the governing authority of the municipality wherein the postsecondary institution of higher learning is located, working with the institution's administrative leadership and the Office of the Secretary of State to ensure that a voting precinct is located on the main campus of such postsecondary institution.

(2) To facilitate unrestricted access to voting, the entities required under subsection (1) of this section to ensure the placement of a voting precinct on the campuses of eligible postsecondary institutions of higher learning shall have taken the necessary actions to designate the on-campus location by September

15, 2023, and further provide reasonable notice to the student body of the voting precinct through publication on the institution's website, the student body email list serve and in a newspaper having regular circulation in the municipality and county wherein the institution is located.

SECTION 2. Any student duly enrolled in a program of study at a public or private four-year postsecondary institution of higher learning and resides on campus of the postsecondary institution of higher learning where the voting precinct is located or who reside in off-campus institutional housing shall be eligible to vote at the on-campus voting precinct provided that the student:

(a) Is at least eighteen (18) years old;

(b) Meets the age and residency requirements specified in Section 23-15-11;

(c) Has been duly registered as an elector under Section 23-15-33 with the clerk of the municipality in accordance with Section 23-15-35, using the registration application form prescribed in Sections 23-15-39 and 23-15-47;

(d) Has chosen to use his or her campus address or off-campus institutional housing address as his or her sole registered voting address;

(e) Is not excluded from voting by having committed vote fraud or any other disenfranchising crime listed in Section 241, Mississippi Constitution of 1890;

(f) If previously registered, in state or out of state, has changed his or her residency in accordance with the methods prescribed under Section 23-15-13 or 23-15-49; and

(g) Possesses the required voter identification required under Section 23-15-563.

SECTION 3. Section 23-15-11, Mississippi Code of 1972, is brought forward 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. If the thirtieth day to register before an election falls on a Sunday or legal holiday, the registration applications submitted on the business day immediately following the Sunday or legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling voters to vote in the next election. 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. No others than those specified in this section shall be entitled, or shall be allowed, to vote at any election.

SECTION 4. Section 23-15-13, Mississippi Code of 1972, is brought forward 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 written request therefor at any time up to thirty (30) days before the election at which he or she offers to vote, and if the removal occurs within thirty (30) days of such election he or she shall be entitled to vote in his or her new ward or voting precinct by affidavit ballot as provided in Section 23-15-573. If the thirtieth day to transfer the elector's registration before an election falls on a Sunday or legal holiday, the transfer of the elector's registration submitted on the business day immediately following the Sunday or legal holiday shall be accepted and

entered into the Statewide Elections Management System for the purpose of enabling voters to vote in the next election.

(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.

SECTION 5. Section 23-15-33, Mississippi Code of 1972, is brought forward as follows:

23-15-33. (1) Every person entitled to be registered as an elector in compliance with the laws of this state and who has signed his or her name on and properly completed the application for registration to vote shall be registered by the county registrar in the voting precinct of the residence of such person through the Statewide Elections Management System.

(2) Every person entitled to be registered as an elector in compliance with the laws of this state and who registers to vote pursuant to the National Voter Registration Act of 1993 shall be registered by the county registrar in the voting precinct of the residence of such person through the Statewide Elections Management System.

SECTION 6. Section 23-15-35, Mississippi Code of 1972, is brought forward as follows:

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

(2) The municipal clerk shall be authorized to register applicants as county electors. The municipal clerk shall forward notice of registration, a copy of the application for registration, and any changes to the registration when they occur, either by certified mail to the county registrar or by personal delivery to the county registrar provided that a numbered receipt is signed by the county registrar in return for the described documents. Upon receipt of the copy of the application for registration or changes to the registration, and if a review of the application indicates that the applicant meets all the criteria necessary to qualify as a county elector, then the county registrar shall make a determination of the county voting precinct in which the person making the application shall be required to vote. The county registrar shall send this county voting precinct

information by United States first-class mail, postage prepaid, to the person at the address provided on the application. Any mailing costs incurred by the municipal clerk or the county registrar in effectuating this subsection (2) shall be paid by the county board of supervisors. If a review of the copy of the application for registration or changes to the registration indicates that the applicant is not qualified to vote in the county, the county registrar shall challenge the application. The county election commissioners shall review any challenge or disqualification, after having notified the applicant by certified mail of the challenge or disqualification.

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

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

(5) The municipal clerk of each municipality shall provide the county registrar in which the municipality is located the information necessary to conform the municipal registration to the county registration which shall be a part of the official record of registered voters as contained in the Statewide Elections

Management System. If any changes to the information occur as a result of redistricting, annexation or other reason, it shall be the responsibility of the municipal clerk to timely provide the changes to the county registrar.

SECTION 7. Section 23-15-37, Mississippi Code of 1972, is amended as follows:

23-15-37. (1) The registrar shall register the electors of his or her county at any time during regular office hours.

(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.

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

(5) (a) In the fall and spring of each year the registrar of each county shall furnish all public schools and all public and private four-year postsecondary institutions of higher learning with mail-in voter registration applications. The applications shall be provided in a reasonable time to enable those students who will be eighteen (18) years of age before a general election, or who are eighteen (18) years of age and older and are not registered voters, to be able to vote in the primary and general elections.

(b) Each public school district shall permit access to all public schools of this state and each public and private four-year postsecondary institution of higher learning shall permit access to all campuses under its jurisdiction in this state

for the county registrar or the county registrar's deputy to register persons who are eligible to vote and to provide voter education.

SECTION 8. Section 23-15-39, Mississippi Code of 1972, is brought forward as follows:

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

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

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

(4) If the applicant indicates on the application that he or she has previously registered to vote in another county of this state or another state, notice to the voter's previous county of registration in this state shall be provided by the Statewide Elections Management System. If the voter's previous place of registration was in another state, notice shall be provided to the

voter's previous state of residence if the Statewide Elections Management System has that capability.

(5) The county registrar shall provide to the person making the application a copy of the application upon which has been written the county voting precinct and municipal voting precinct, if any, in which the person shall vote. Upon entry of the voter registration information into the Statewide Elections Management System, the system shall assign a voter registration number to the person, and the county registrar shall mail the applicant a voter registration card to the mailing address provided on the application.

(6) Any person desiring an application for registration may secure an application from the registrar of the county of which he or she is a resident and may take the application with him or her and secure assistance in completing the application from any person of the applicant's choice. It shall be the duty of all registrars to furnish applications for registration to all persons requesting them, and it shall likewise be the registrar's duty to furnish aid and assistance in the completing of the application when requested by an applicant. The application for registration shall be sworn to and subscribed before the registrar or deputy registrar at the municipal clerk's office, the county registrar's office or any other location where the applicant is allowed to register to vote. The registrar shall not charge a fee or cost to the applicant for accepting the application or administering the

oath or for any other duty imposed by law regarding the registration of electors.

(7) If the person making the application is unable to read or write, for reason of disability or otherwise, he or she shall not be required to personally complete the application in writing and execute the oath. In such cases, the registrar or deputy registrar shall read the application and oath to the person and the person's answers thereto shall be recorded by the registrar or 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 System. The Statewide Elections Management System updates the municipal voter registration records and assigns electors to their municipal voting precincts. The county registrar shall forward to the municipal clerk written notification of the additions and changes, and the municipal clerk shall forward to the affected municipal electors written notification of the additions and changes.

SECTION 9. Section 23-15-41, Mississippi Code of 1972, is brought forward as follows:

23-15-41. (1) When an applicant to register to vote has completed the application form as prescribed by administrative rule, the county registrar shall enter the applicant's information into the Statewide Elections Management System where the applicant's status will be marked as "ACTIVE," "PENDING" or "REJECTED," and the applicant shall be entitled to register upon his or her request for registration made in person to the

registrar, or deputy registrar if a deputy registrar has been appointed. No person other than the registrar, or a deputy registrar, shall register any applicant.

(2) If an applicant is not qualified to register to vote, then the registrar shall enter the applicant's information into the Statewide Elections Management System and mark the applicant's 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 10. Section 23-15-43, Mississippi Code of 1972, is brought forward as follows:

23-15-43. In the event an applicant is not registered, there shall be an automatic review by the county election commissioners under the procedures provided in Sections 23-15-61 through 23-15-79. In addition to the meetings of the election commissioners provided in those sections, the commissioners are required to hold such additional meetings to determine all pending cases of registration on review before the election at which the applicant desires to vote.

It is not the purpose of this section to indicate the decision that should be reached by the election commissioners in certain cases but to define which applicants should receive further examination by providing for an automatic review.

SECTION 11. Section 23-15-45, Mississippi Code of 1972, is brought forward as follows:

23-15-45. In the event that registration is denied pending automatic review by the county election commissioners, the registrar shall immediately inform the applicant that the registration is denied and advise the applicant of the date, time and place of the next meeting of the county election commissioners, at which time the applicant may present such evidence either in person or in writing as he deems pertinent to the question of residency.

SECTION 12. Section 23-15-47, Mississippi Code of 1972, is brought forward as follows:

23-15-47. (1) Any person who is qualified to register to vote in the State of Mississippi may register to vote by mail-in application in the manner prescribed in this section.

(2) The following procedure shall be used in the registration of electors by mail:

(a) Any qualified elector may register to vote by mailing or delivering a completed mail-in application to his or her county registrar at least thirty (30) days before any election; however, if the thirtieth day to register before an election falls on a Sunday or legal holiday, the registration applications submitted on the business day immediately following the Sunday or legal holiday shall be accepted and entered into the Statewide Elections Management System for the purpose of enabling voters to vote in the next election. The postmark date of a mailed application shall be the applicant's date of registration.

(b) Upon receipt of a mail-in application, the county registrar shall stamp the application with the date of receipt, and shall verify the application either by matching the applicant's Mississippi driver's license number through the Mississippi Department of Public Safety or by matching the applicant's social security number through the American Association of Motor Vehicle Administrators. Within fourteen (14) days of receipt of a mail-in registration application, the county registrar shall complete action on the application, including any attempts to notify the applicant of the status of his or her application.

(c) If the county registrar determines that the applicant is qualified and his or her application is legible and complete, the county registrar shall mail the applicant written notification that the application has been approved, specifying the county voting precinct, municipal voting precinct, if any, polling place and supervisor district in which the person shall vote. This written notification of approval containing the specified information shall be the voter's registration card. The registration card shall be provided by the county registrar to the applicant in accordance with Section 23-15-39. Upon entry of the voter registration information into the Statewide Elections Management System, the system shall assign a voter registration number to the applicant. The assigned voter registration number shall be clearly shown on the written notification of approval.

In mailing the written notification, the county registrar shall note the following on the envelope: "DO NOT FORWARD". If any registration notification form is returned as undeliverable, the voter's registration shall be void.

(d) A mail-in application shall be rejected for any of the following reasons:

(i) An incomplete portion of the application makes it impossible for the registrar to determine the eligibility of the applicant to register;

(ii) A portion of the application is illegible in the opinion of the county registrar and makes it impossible to determine the eligibility of the applicant to register;

(iii) The county registrar is unable to determine, from the address and information stated on the application, the precinct in which the voter should be assigned or the supervisor district in which he or she is entitled to vote;

(iv) The applicant is not qualified to register to vote pursuant to Section 23-15-11;

(v) The county registrar determines that the applicant is already registered as a qualified elector of the county;

(vi) The county registrar is unable to verify the application pursuant to subsection (2)(b) of this section.

(e) If the mail-in application of a person is subject to rejection for any of the reasons set forth in paragraph (d)(i)

through (iii) of this subsection, and it appears to the county registrar that the defect or omission is of such a minor nature and that any necessary additional information may be supplied by the applicant over the telephone or by further correspondence, the county registrar may write or call the applicant at the telephone number or address, or both, provided on the application. If the county registrar is able to contact the applicant by mail or telephone, the county registrar shall attempt to ascertain the necessary information, and if this information is sufficient for the registrar to complete the application, the applicant shall be registered. If the necessary information cannot be obtained by mail or telephone, or is not sufficient to complete the application within fourteen (14) days of receipt, the county registrar shall give the applicant written notice of the rejection and provide the reason for the rejection. The county registrar shall further inform the applicant that he or she has a right to attempt to register by appearing in person or by filing another mail-in application.

(f) If a mail-in application is subject to rejection for the reason stated in paragraph (d)(v) of this subsection and the "present home address" portion of the application is different from the residence address for the applicant found in the Statewide Elections Management System, the mail-in application shall be deemed a written request to update the voter's registration pursuant to Section 23-15-13. The county registrar

or the election commissioners shall update the voter's residence address in the Statewide Elections Management System and, if necessary, advise the voter of a change in the location of his or her county or municipal polling place by mailing the voter a new voter registration card.

(3) The instructions and the application form for voter registration by mail shall be in a form established by rule duly adopted by the Secretary of State.

(4) (a) The Secretary of State shall prepare and furnish without charge the necessary forms for application for voter registration by mail to each county registrar, municipal clerk, all public schools, each private school that requests such applications, and all public libraries.

(b) The Secretary of State shall distribute without charge sufficient forms for application for voter registration by mail to the Commissioner of Public Safety, who shall distribute the forms to each driver's license examining and renewal station in the state, and shall ensure that the forms are regularly available to the public at such stations.

(c) Bulk quantities of forms for application for voter registration by mail shall be furnished by the Secretary of State to any person or organization. The Secretary of State shall charge a person or organization the actual cost he or she incurs in providing bulk quantities of forms for application for voter registration to such person or organization.

(5) The originals of completed mail-in applications shall remain on file in the office of the county registrar with copies retained in the Statewide Elections Management System.

(6) If the applicant indicates on the application that he or she resides within the city limits of a city or town in the county of registration, the county registrar shall enter the information into the Statewide Elections Management System.

(7) If the applicant indicates on the application that he or she has previously registered to vote in another county of this state or another state, notice to the voter's previous county of registration in this state shall be provided through the Statewide Elections Management System. If the voter's previous place of registration was in another state, notice shall be provided to the voter's previous state of residence.

(8) Any person who attempts to register to vote by mail shall be subject to the penalties for false registration provided for in Section 23-15-17.

SECTION 13. Section 23-15-49, Mississippi Code of 1972, is brought forward as follows:

23-15-49. (1) (a) The Secretary of State shall, with the support of the Mississippi Department of Public Safety, establish a secure Internet website to permit registered electors to change their name, address or other information set forth in the elector's existing voter registration record.

(b) Upon the request of an elector through the secure website, the software used by the Secretary of State for processing applications through the website shall provide for verification that:

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

(ii) The name and date of birth provided by the voter matches the name and date of birth that is on file with the Mississippi Department of Public Safety; and

(iii) The information provided by the elector matches the information on file with the Mississippi Department of Public Safety.

If any of the information does not match that on file with the Mississippi Department of Public Safety, the changes shall be rejected.

(2) Any person who attempts to change registration information under this section shall be subject to the penalties for false registration provided for in Section 97-13-25.

(3) The Secretary of State and the Department of Public Safety shall enter into a memorandum of understanding providing

for the sharing of information required to facilitate the requirements of this section.

SECTION 14. Section 23-15-281, Mississippi Code of 1972, is amended as follows:

23-15-281. (1) (a) Each county shall be divided into supervisors districts, which shall be the same as those for the election of members of the board of supervisors, and may be subdivided thereafter into voting precincts; and there shall be only one (1) voting place in each voting precinct. Provided, however, that such boundaries, if altered, shall conform to visible natural or artificial boundaries such as streets, highways, railroads, rivers, lakes, bayous or other obvious lines of demarcation except county lines and municipal corporate limits. The board of supervisors shall notify the Office of the Secretary of State of the boundary of each supervisors district and voting precinct as then fixed and shall provide the office a legal description and a map of each supervisors district and voting precinct and shall indicate the voting place in each such district. The board of supervisors shall also ensure the legal description and map of each supervisors district is available in the circuit clerk's office for public inspection.

(b) In any county wherein is located any public or private four-year postsecondary institution of higher learning, the board of supervisors and the appropriate municipal governing authority, working with the institution's administrative

leadership and the Office of the Secretary of State, shall ensure that a voting precinct is located on the main campus of such postsecondary institution of higher learning.

(2) The board of supervisors is authorized, by order spread upon the minutes of the board setting forth the cost and source of funds therefor, to purchase improved or unimproved property and to construct, reconstruct, repair, renovate and maintain polling places, or to pay to private property owners reasonable rental fees when the property is used as a polling place for a period not to exceed the day immediately preceding the election, the day of the election, and the day immediately following the election. On or before May 1, 2019, the county board of supervisors shall ensure each polling place is accessible to all voters, structurally sound, capable of providing air conditioning and heating and compliant with the Americans with Disabilities Act.

(3) All facilities owned or leased by the state, county, municipality, * * * school district or postsecondary institution, as described in subsection (1) of this section, may be made available at no cost to the board of supervisors for use as polling places to such extent as may be agreed to by the authority having control or custody of these facilities.

SECTION 15. Section 23-15-283, Mississippi Code of 1972, is brought forward as follows:

23-15-283. (1) The board of supervisors shall have power to alter the boundaries of the supervisors districts, voting

precincts, sub-precincts and the voting place therein. If the board of supervisors orders a change in the boundaries, they shall notify the election commissioners, who shall at once cause the voter rolls as electronically maintained by the Statewide Elections Management System of voting precincts affected by the order to be changed to conform to the change so as to contain only the names of the qualified electors in the voting precincts as made by the change of boundaries. Upon the order of change in the boundaries of any voting precinct or the voting place therein, the board of supervisors shall notify the Office of the Secretary of State and provide the Office of the Secretary of State a legal description and a map of any boundary change. No change shall be implemented or enforced until the requirements of this section have been met.

(2) Only officials certified by the Secretary of State shall be authorized to implement boundary line changes in the Statewide Elections Management System. The training and certification required under this subsection (2) shall be available to the circuit clerk, county election commissioners or any other individual designated by the board of supervisors to be responsible for implementing boundary line changes into the Statewide Elections Management System.

(3) Any governmental entity authorized to adopt, amend or change boundary lines shall immediately forward all changed boundary lines to the appropriate circuit clerk, who shall, if

authorized under subsection (2), implement the boundary line changes in the Statewide Elections Management System. If the circuit clerk is not the appropriate person to implement the boundary line changes, the clerk shall immediately forward a copy of all materials to the appropriate person. Copies of any boundary line changes within the county shall be maintained in the office of the circuit clerk and made available for public inspection. No change shall be implemented or enforced until the requirements of this section have been met.

(4) Precinct boundary changes affected by the authority of this section or of any other provision of law shall not be implemented during any decade after the last day of September of the year ending in eight (8). Precinct boundaries in force and effect at such time shall remain in effect and unalterable until the last day of December in the next year ending in zero. This prohibition shall not bar the creation or modification of sub-precinct boundaries.

SECTION 16. Section 23-15-285, Mississippi Code of 1972, is brought forward as follows:

23-15-285. The board of supervisors shall cause an entry to be made on the minutes of the board at some meeting, as early as convenient, defining the boundaries of the several supervisors districts, sub-precincts and voting precincts in the county, and designating the voting place in each voting precinct; and as soon as practicable after any change is made in any supervisors

district, sub-precincts, voting precinct or any voting place, the board of supervisors shall cause the change to be entered on the minutes of the board in such manner as to be easily understood. Precinct boundaries may be changed only during the times provided in Section 23-15-283.

No voting precinct shall have more than five hundred (500) qualified electors residing in its boundaries. Subject to the provisions of this section, each board of supervisors of the various counties of this state shall as soon as practical after January 1, 1987, alter or change the boundaries of the various voting precincts to comply herewith and shall from time to time make such changes in the boundaries of voting precincts so that there shall never be more than five hundred (500) qualified electors within the boundaries of the various voting precincts of this state; provided further, this limitation shall not apply to voting precincts that are so divided, alphabetically or otherwise, so as to have less than five hundred (500) qualified electors in any one (1) box within a voting precinct. However, the limitation of five hundred (500) qualified electors to the voting precinct shall not apply to voting precincts in which voting machines are used at all elections held in that voting precinct. No change in any supervisors district, sub-precinct or voting precinct shall take effect less than thirty (30) days before the qualifying deadline for the office of county supervisor.

SECTION 17. Section 23-15-557, Mississippi Code of 1972, is amended as follows:

23-15-557. The governing authorities of any municipality within the State of Mississippi are hereby authorized and empowered, in their discretion, to divide the municipality into a sufficient number of voting precincts of such size and location as is necessary, and there shall be the same number of polling places. <u>In any municipality wherein is located any public or private four-year postsecondary institution of higher learning, the appropriate municipal governing authority and the county board of supervisors, working with the institution's administrative leadership and the Office of the Secretary of State, shall ensure that a voting precinct is located on the main campus of any postsecondary institution of higher learning within its incorporated municipal boundaries.</u> The authority conducting an election shall not be required, however, to establish a polling place in each of said precincts, but such election authorities, whether in a primary or in a general election, may locate and establish such polling places, without regard to precinct lines, in such manner as in the discretion of such authority will better accommodate the electorate and better facilitate the holding of the election.

SECTION 18. Section 23-15-563, Mississippi Code of 1972, is brought forward as follows:

23-15-563. (1) Each person who appears to vote in person at a polling place or the registrar's office shall be required to identify himself or herself to a poll manager or the registrar by presenting current and valid photo identification before such person shall be allowed to vote.

(2) The identification required by subsection (1) of this section shall include, but not be limited to, the following:

(a) A current and valid Mississippi driver's license;

(b) A current and valid identification card issued by a branch, department, agency or entity of the State of Mississippi;

(c) A current and valid United States passport;

(d) A current and valid employee identification card containing a photograph of the elector and issued by any branch, department, agency or entity of the United States government, the State of Mississippi, or any county, municipality, board, authority or other entity of this state;

(e) A current and valid Mississippi license to carry a pistol or revolver;

(f) A valid tribal identification card containing a photograph of the elector;

(g) A current and valid United States military identification card;

(h) A current and valid student identification card, containing a photograph of the elector, issued by any accredited

college, university or community or junior college in the State of Mississippi; and

(i) An official Mississippi voter identification card containing a photograph of the elector.

(3) (a) A person who appears to vote in person at a polling place and does not have identification as required by this section may vote by affidavit ballot. The affidavit ballot shall then be counted if the person shall present acceptable photo identification to the registrar within five (5) days.

(b) An elector who has a religious objection to being photographed may vote by affidavit ballot, and the elector, within five (5) days after the election, shall execute an affidavit in the registrar's office affirming that the exemption applies.

(4) The intentional failure of an election official to require a voter to present identification as required by this section shall be considered corrupt conduct under Section 97-13-19 and shall be reported to the Secretary of State and the Attorney General.

SECTION 19. This act shall take effect and be in force from and after its passage.

ST: Collegiate voters; require each public and private four-year postsecondary institution to have an on-campus voting precinct.