Title 1: Secretary of State

Part 16: Elections – Voter Photo Identification

Part 16 Chapter 1: *Definitions*

Rule 1.1 Definitions.

A. "Acceptable Photographic Identification" means a current and valid:
   1) Mississippi driver's license,
   2) Identification card, including, but not limited to, an employee identification card containing a photograph of the elector, issued by a branch, department, agency or entity of the State of Mississippi,
   3) United States passport,
   4) Employee identification card containing a photograph of the elector issued by any branch, department, agency or entity of the United States government,
   5) Mississippi license containing a photograph of the elector to carry a pistol or revolver,
   6) Tribal identification card containing a photograph of the elector,
   7) United States military identification card containing a photograph of the elector,
   8) Student identification card, containing a photograph of the elector, issued by an accredited college, university or community or junior college in the State of Mississippi,
   9) Mississippi Voter Identification Card, and
   10) Photo identification issued by any branch, department, agency or entity of the United States government or any state government including, but not limited to, a driver's license issued by a state other than Mississippi.

B. "Accredited college, university, community or junior college in the State of Mississippi" means a college, university, community college or junior college approved by the Mississippi Commission on College Accreditation.

C. "Business Days" means those days on which each Registrar's office is open for business, including those Saturdays on which each Registrar's office is open for purposes as provided by statute.

D. "Current" means the document has no expiration date or has an issuance date not more than ten (10) years prior to the date the document is presented.

E. "EVVE" means the Electronic Verification of Vital Events system.

F. "Mississippi Voter Identification Card" means a card issued by the State of Mississippi through the individual offices of each county Registrar pursuant to Miss. Code Ann. Section 23-15-7, solely for the purpose of identifying a qualified elector by photographic identification who presents to a Registrar, Municipal Clerk

or polling place to vote.

G. "Photo Identity Document" means a valid, but not current document, containing the elector's name and a photograph that fairly depicts the elector, issued by any branch, department, agency, division or entity of the United States government or any state government.

H. "Qualified Elector", as defined by Miss. Code Ann. Section 23-15-11, means every inhabitant of the state of Mississippi, except persons adjudicated to be non compos mentis, who is a citizen of the United States, eighteen (18) years old and upwards, who has resided in the state of Mississippi 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 pursuant to Miss. Code Ann. Section 23-15-33, and who has never been convicted of any crime provided within Section 241 of the Mississippi Constitution of 1890.

I. "Registrar" means each of the eighty-two (82) county registrars of elections, appointed by the State Board of Election Commissioners, pursuant to Miss. Code Ann. Section 23-15-223, and each deputy registrar as authorized by law.

J. "Receipt for the Mississippi Voter Identification Card" means a document, issued by the State of Mississippi through the individual offices of each county Registrar pursuant to Miss. Code Ann. Section 23-15-631, solely for the purpose of providing temporary Acceptable Photographic Identification to a qualified elector by who presents to a Registrar, Municipal Clerk or polling place to vote within forty-five (45) days after issuance.

K. "SEMS" means the Statewide Elections Management System which is Mississippi's electronic voter roll.

L. "State-licensed care facility" means an institution for the aged or infirm as defined by Miss. Code Ann. Section 43-11-1.

M. "UOCAVA" means the Uniformed and Overseas Citizens Absentee Voting Act.

N. "Valid" means a document is what it purports to be, and is not a fake or forgery.

Source: Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 2: ***Effective Date of Mississippi Voter Photo Identification***

Rule 2.1 Beginning with Elections held in the State of Mississippi occurring on or after June 3, 2014, each qualified elector, who is not exempt from these requirements and who appears in person to vote by absentee ballot in the Registrar's Office or Municipal Clerk's Office, or who appears to vote at his or her polling place on an election day, must identify himself or herself by presenting Acceptable Photographic Identification as defined by Rule 1.1(A) before the elector may cast his or her ballot and vote.

Source: Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 3: ***Mississippi Voter Identification Card***

Rule 3.1 Intent and Purpose.

A. These rules are promulgated pursuant to the authority granted the Mississippi Secretary of State under Miss. Code Ann. Section 23-15-7.

B. It is the intent of the Mississippi Secretary of State to provide for the time, place, and manner in which each Registrar's Office shall issue the Mississippi Voter Identification Card to eligible electors, to provide for the acceptable types of documentation or information necessary for an eligible elector to obtain the Mississippi Voter Identification Card, and to provide certain other rules governing the Mississippi Voter Photo Identification law.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 3.2 Availability of Mississippi Voter Identification Card.

A. Eligible electors may apply for a Mississippi Voter Identification Card at the office of each Registrar and mobile locations, where available.

B. The Registrar shall provide a location in his or her office at which he or she shall make available and accept applications for the Mississippi Voter Identification Card and issue the Receipt for the Mississippi Voter Identification Card.

C. In counties having two (2) judicial districts, the Registrar shall provide a location in his or her office in each judicial district, at which he or she shall make available and accept applications for the Mississippi Voter Identification Card and issue the Receipt for the Mississippi Voter Identification Card.

D. The Registrar shall accept applications for the Mississippi Voter Identification Card and issue the Receipt for the Mississippi Voter Identification Card during normal business hours and during such additional hours as are provided by statute.

E. The Registrar of the elector's county of residence shall be provided notice of the elector's submission of an application for and issuance of a Receipt for the Mississippi Voter Identification Card from the issuing Registrar's office.

F. No fee shall be charged to the applicant or collected by the Registrar for his or her provision and acceptance of the application for the Mississippi Voter Identification Card or the issuance of the Receipt for the Mississippi Voter Identification Card.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 3.3 Application for Mississippi Voter Identification Card.

A. The Registrar shall provide a uniform application for the Mississippi Voter

Identification Card in the form designed and published by the Mississippi Secretary of State as set forth in Part 16, Exhibit A.

B. The State of Mississippi shall make proper allowances and reimburse the Registrar for equipment and office supplies reasonably necessary for the issuance of the Receipt for the Mississippi Voter Identification Card.

C. The application shall require the elector to (i) affirm he or she is registered to vote in Mississippi, or is registering to vote at the same time he or she is submitting an application for the Mississippi Voter Identification Card; (ii) affirm he or she does not currently possess Acceptable Photographic Identification as defined by Rule 1.1(A) to vote; and (iii) provide his or her full legal name, date of birth, legal residence address, and mailing address, if different.

D. The application shall be signed under oath, in the presence of the Registrar, and any falsification or fraud committed in making the application for the Mississippi Voter Identification Card shall constitute false swearing as defined and punishable by Miss. Code Ann. Section 97-7-35.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 3.4 Eligibility for Issuance of the Mississippi Voter Identification Card. No qualified elector shall be eligible to obtain the Mississippi Voter Identification Card if that person currently possesses Acceptable Photographic Identification as defined in Rule 1.1(A).

Rule 3.5 Documentation Required for Issuance of the Mississippi Voter Identification Card. Before issuing a Mississippi Voter Identification Card, the Registrar shall require an elector to:

A. Complete and sign an application and

B. Present any one of the following forms of documentation:

1. Photo Identity Document;
2. Any documentation which sets forth the elector's full legal name, date and place of birth, including, but not limited to, a birth certificate;
3. A Social Security card;
4. A Medicare card;
5. A Medicaid card;
6. Any of the following documents, provided the document sets forth the elector's name and his or her principal residential address:
   i. Utility bill issued within the past six (6) months,
   ii. Bank statement issued within the past six (6) months,
   iii. Paycheck issued within the past six (6) months,
   iv. Government check issued within the past six (6) months, or
   v. Any other government document that shows the elector's name and his or her principal residential address issued within the current

calendar year including, without limitation, an IRS Form W-2, Wage and Tax Statement; or

7. Mississippi Voter Registration Card.

C. If an elector cannot present any one of the forms of documentation set forth in Rule 3.5(B), the Registrar may electronically verify the elector's birth information by virtue of each Registrar's access to EVVE, free of charge to the elector. The verification of the elector's birth information by the Registrar shall provide the required identification of the elector. No additional documentation as set forth in Rule 3.5(B) shall be required of the elector.

D. A qualified, eligible elector submitting an application for the Mississippi Voter Identification Card, who is unable to read or write by reason of disability or otherwise, and who requests assistance, shall not be required to personally complete the application in writing, but shall be required to execute the oath. In such cases, the Registrar shall read the application and oath to the elector, and the elector's answers thereto shall be written by the Registrar in completion of the application, with the elector making his mark, if unable to sign his or her name upon the oath. The Registrar shall write the name of the applying elector around or adjacent to the mark and indicate that the mark is that of the applying elector.

E. The oath of an eligible elector, submitting an application for the Mississippi Voter Identification Card, who is unable to read or write by reason of disability or otherwise, who requests assistance, and who is unable to execute the oath by signing his or her name or making his or her mark, shall be completed by the Registrar on behalf of the applying elector. The Registrar shall write the elector's name in completion of the oath and indicate that the applying elector is unable to sign his or her name or make his or her mark upon the oath.

Source: Miss. Code Ann. Sections 23-15-7(6) and 23-15-7(8).

Rule 3.6 <u>Processing the Application for Mississippi Voter Identification Card</u>.

A. To process the elector's application for the Mississippi Voter Identification Card, the Registrar shall require the elector to:

1. Complete the Mississippi Voter Identification Card Application, and
2. Present any one of the forms of documentation set forth in Rule 3.5(B) or satisfy the requirements of Rule 3.5(C).

B. If the elector presents a Photo Identity Document pursuant to Rule 3.5(B)(1), the Registrar shall verify:

1. The photograph on the document "fairly depicts" the elector based on the guidelines set forth in Rule 4.1(B)(2) below,

2. The name on the document and the application is "substantially similar" to the name of the elector in SEMS based on the guidelines set forth in Rule 4.1(B)(3) below; and
3. The address provided on the application is the same address of the elector in SEMS.

C. If the elector submits documentation pursuant to Rule 3.5(B)(2), the Registrar shall verify the name on the document and the application is "substantially similar" to the name of the elector in SEMS based on the guidelines set forth in Rule 4.1(B)(3) below.

D. If the elector submits documentation pursuant to Rule 3.5(B)(3) – (7), the Registrar shall verify:

1. The name on the document and the application is "substantially similar" to the name of the elector in SEMS based on the guidelines set forth in Rule 4.1(B)(3) below;
2. The address provided in the document, if any, and the address provided in the application is the same address of the elector in SEMS;
3. If the elector is not registered to vote by the address provided in the document and provided in the application, the Registrar shall change the elector's address as it appears in SEMS to match the address provided in the document and the application; and
4. If the elector is not registered to vote by his or her full legal name (because the elector used an initial, abbreviation, maiden name, etc.), the Registrar shall change the elector's name as it appears in SEMS to match the elector's name as provided on his or her application.

E. If the elector completes, signs, and submits a valid application and presents any one of the forms of identification set forth in Rule 3.5(B), as verified by the Registrar pursuant to Rule 3.6(B)-(D), or satisfies the requirements of Rule 3.5(C), the Registrar shall immediately:

1. Capture a digital photograph of the elector utilizing the equipment, supplies and training provided by the State of Mississippi,
2. Issue the Receipt for the Mississippi Voter Identification Card to the elector, which shall contain the digital photograph of the elector, utilizing the equipment, supplies and training provided by the State of Mississippi, if an election is to be held within forty-five (45) days of the date of the elector's application,
3. Inform the elector that he or she shall receive the Mississippi Voter Identification Card within fourteen (14) calendar days, and may use the Receipt for the Mississippi Voter Identification Card to vote in any election held within forty-five (45) days from the date of the elector's application,

and

4. Transmit the required information to produce the Mississippi Voter Identification Card to the third-party vendor.

F. If the elector completes, signs and submits a valid application, but the Registrar determines the elector does not satisfy the requirements of Rule 3.5(B) or Rule 3.5(C), the Registrar shall immediately advise the elector of the reason(s) why the application has been denied, and further advise the elector of the availability of an appeal process identical to the process provided an elector denied registration pursuant to Miss. Code Ann. Sections 23-15-61 and 23-15-63.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 3.7 Automatic Review and Appeal of a Registrar's Denial of Mississippi Voter Identification Card. In the event an elector is denied issuance of a Mississippi Voter Identification Card, there shall be an automatic review by the county election commission and appeal process available to the elector pursuant to Miss. Code Ann. Sections 23-15-61 through 23-15-79.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 3.8 Cancellation and Surrender of Mississippi Voter Identification Card.

A. The Registrar may cancel and require surrender of a Mississippi Voter Identification Card upon confirmation the card was issued to a person not entitled thereto.

B. A Mississippi Voter Identification Card may be cancelled or required to be surrendered by the elector if:

1. The elector is deceased,
2. The elector is convicted of a disenfranchising crime,
3. The elector is adjudicated to be incompetent,
4. The elector has moved outside of the State of Mississippi, or
5. The elector is otherwise no longer qualified to vote in Mississippi.

C. A Registrar, who cancels and/or requires surrender of a Mississippi Voter Identification Card shall immediately record the event in SEMS, and provide written notice to the elector by United States mail to the address provided for the elector in SEMS. The notice to the elector shall advise the elector of his or her right to appeal the cancellation or required surrender of the Mississippi Voter Identification Card pursuant to a process identical to the process set forth in Miss. Code Ann. Sections 23-15-61 and 23-15-63.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 3.9 Replacement of Mississippi Voter Identification Card. If a previously issued Mississippi Voter Identification Card has been lost, destroyed, marred or mutilated, the name of the elector has changed, or the gender of the elector has changed, a replacement Mississippi Voter Identification Card may be issued to the elector in accordance with Rules 3.3 through 3.6.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 3.10 Validity of Mississippi Voter Identification Card.

A. A Mississippi Voter Identification Card shall remain valid for as long as the elector remains qualified to vote in Mississippi.

B. It shall be the duty of an elector who moves his or her residence outside the state of Mississippi, or who ceases to be qualified to vote in Mississippi, to either surrender his or her card to the issuing Registrar or destroy the same.

Source: Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 4: ***Voting with Acceptable Photographic Identification***

Rule 4.1 Election Official Determination of Acceptable Photographic Identification.

A. Each qualified elector, who is not exempt from these requirements and who appears to vote in person by absentee ballot in the Registrar's Office or Municipal Clerk's Office, or at his or her polling place on an election day, must identify himself or herself by presenting Acceptable Photographic Identification as defined by Rule 1.1(A) before the elector may cast his or her ballot and vote.

B. The election official shall verify:

1. The presented document is Acceptable Photographic Identification as defined by Rule 1.1(A),

2. The photograph on the Acceptable Photographic Identification "fairly depicts" the elector,

a. If the election official is unable to determine whether the elector is the person depicted in the Acceptable Photographic Identification, or affirmatively determines the elector is not the person depicted in the Acceptable Photographic Identification, the election official shall confer with the poll manager designated as the Bailiff, if the elector is voting in person in the polling place on an election day, or a

second election official, if the elector is voting by absentee ballot in the Registrar's office or Municipal Clerk's Office.

b. If the Bailiff, or second election official, is likewise unable to determine whether the elector is the person depicted in the Acceptable Photographic Identification, or affirmatively determines the elector is not the person depicted in the Acceptable Photographic Identification, the elector shall be entitled to vote by affidavit ballot.

c. If the Bailiff, or the second election official, is able to determine the elector is the person depicted in the Acceptable Photographic Identification, the elector shall be entitled to cast his or her ballot.

3. The elector's name as it appears on the Acceptable Photographic Identification is "substantially similar" to the elector's name as it appears on the poll book.

a. An elector's name on the Acceptable Photographic Identification is "substantially similar" to the name on the poll book if one or more of the following circumstances are present:

i. The name on the Acceptable Photographic Identification is slightly different from the name as it appears on the poll book;

ii. The name on the Acceptable Photographic Identification, or on the poll book, is a customary variation or abbreviation of the formal name such as, for purposes of illustration only, "Bill" or "Wm." for "William", or "Pam" for "Pamela";

iii. The name on the Acceptable Photographic Identification includes an initial, or a middle name that does not appear on the poll book, or vice versa, such as, for purposes of illustration only, "James W. Smith" or "James Wilson Smith"; or

iv. A first name, middle name, former name, maiden name or initial of the elector's name appears in a different order on the Acceptable Photographic Identification than the name appears on poll book, such as, for purposes of illustration only, "Alice Elizabeth Roberts" for "Elizabeth Alice Roberts".

b. If the elector's middle or last name on the Acceptable Photographic Identification is different from his or her middle or last name as it appears on the poll book due to marriage, divorce, or hyphenation, the elector shall be entitled to cast his or her ballot if:

i. A part of the name, the address or the date of birth (if provided) on the Acceptable Photographic Identification matches a part of the name, the address or the date of birth of the elector on the poll book; and

ii. The photograph on the Acceptable Photographic Identification "fairly depicts" the elector.

c. If the election official is unable to determine whether the elector's name, as it appears on the Acceptable Photographic Identification, is "substantially similar" to the name as it appears on the poll book the election official shall confer with the poll manager designated as the Bailiff, if the elector is voting in person in the polling place on an election day, or a second election official, if the elector is voting by absentee ballot in the Registrar's office or Municipal Clerk's Office.

d. If the Bailiff, or second election official, is likewise unable to determine whether the elector's name, as it appears on the Acceptable Photographic Identification, is "substantially similar" to the name as it appears on the poll book, the elector shall be entitled to vote by affidavit ballot.

e. If the Bailiff, or second election official, is able to determine the elector's name, as it appears on the Acceptable Photographic Identification, is "substantially similar" to the name as it appears on the poll book, the elector shall be entitled to cast his or her ballot.

f. If the election officials determine, pursuant to Rules 4.1(B)(1)-(3), that the identification presented by the elector is Acceptable Photographic Identification, "fairly depicts" the elector, and contains the name of the elector that is "substantially similar" to the name as it appears on the poll book, the elector shall be entitled to cast his or her ballot.

g. If the election officials determine, pursuant to Rules 4.1(B)(1)-(3), that the identification presented by the elector is not Acceptable Photographic Identification, does not "fairly depict" the elector, or does not contain the name of the elector that is "substantially similar" to the name as it appears on the poll book, the elector shall be entitled to vote by affidavit ballot pursuant to Miss. Code Ann. Section 23-15-573.

Source: Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 5: ***Voting by Affidavit Ballot***

Rule 5.1 If a qualified elector appears at a Registrar's Office or Municipal Clerk's Office to vote by absentee ballot, or at a polling place to vote on an election day, yet is unable to present Acceptable Photographic Identification, or states he or she has a religious objection to being photographed, the elector shall be entitled to vote by affidavit ballot pursuant to Miss. Code Ann. Section 23-15-573.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 5.2 An affidavit ballot cast by an elector because he or she was unable to present Acceptable Photographic Identification, either at the Registrar's Office or at the polling place in any election other than a municipal election, shall not be rejected for this reason if, within five (5) business days after casting his or her affidavit ballot, the elector presents Acceptable Photographic Identification, in person, to the Registrar's Office of the elector's county of residence.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 5.3 An affidavit ballot cast by an elector because he or she was unable to present Acceptable Photographic Identification, either at the Municipal Clerk's Office or at the polling place in a municipal election, shall not be rejected for this reason if, within five (5) business days after casting his or her affidavit ballot, the elector presents Acceptable Photographic Identification, in person, to the Municipal Clerk's Office of the elector's city of residence.

Source: Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 6: ***Exempted Electors***

Rule 6.1 <u>Religious Objectors</u>.

A. An elector who states that he or she does not have Acceptable Photographic Identification due to a religious objection to being photographed shall be entitled to vote by affidavit ballot pursuant to Miss. Code Ann. Section 23-15-573.

B. An affidavit ballot, cast by an elector with a religious objection to being photographed in any election other than a municipal election, shall not be rejected for this reason if, within five (5) business days after casting his or her affidavit ballot, the elector executes a separate affidavit before the Registrar of the elector's county of residence affirming the religious objection of the elector.

C. An affidavit ballot, cast by an elector with a religious objection to being photographed in a municipal election, shall not be rejected for this reason if, within five (5) business days after casting his or her affidavit ballot, the elector executes a separate affidavit before the Municipal Clerk of the elector's city of residence affirming the religious objection of the elector.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 6.2 An elector who resides at a state-licensed care facility and who votes in person at a polling place located in that state-licensed care facility, is exempt from photo identification requirements.

Source: Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 7. ***Inapplicability of Photo Identification Requirements to Electors Voting by Absentee Ballot Pursuant to UOCAVA, Miss. Code Ann. Sections 23-15-715(b) and 23-15-673***

Rule 7.1 Absentee Voting by Mail. An elector who receives and casts his or her vote by absentee ballot by mail pursuant to Miss. Code Ann. Section 23-15-715(b) is exempt from photo identification requirements.

Source: Miss. Code Ann. Sections 23-15-7(8) and 23-15-715(b).

Rule 7.2 UOCAVA Voting. An absent elector, as defined by Miss. Code Ann. Section 23-15-673, who casts his or her vote by absentee ballot by mail, facsimile device (FAX) or electronic mail delivery (e-mail), pursuant to Miss. Code Ann. Section 23-15-699 is exempt from photo identification requirements.

Source: Miss. Code Ann. Sections 23-15-7(8), 23-15-673 and 23-15-699.

Title 1: Secretary of State

Part 16: Elections-Voter Photo Identification

Part 16 Chapter 1: ***Definitions***

Rule 1.1 Definitions.

A. "Acceptable Photographic Identification" means a current and valid:

1) Mississippi driver's license,

2) Identification card, including, but not limited to an employee identification card, containing a photograph of the elector issued by a branch, department, agency or entity of the State of Mississippi,

3) United States passport,

4) Employee identification card containing a photograph of the elector issued by any branch, department, agency or entity of the United States government,

5) Mississippi license containing a photograph of the elector to carry a pistol or revolver,

6) Tribal identification card containing a photograph of the elector,

7) United States military identification card containing a photograph of the elector,

8) Student identification card, containing a photograph of the elector, issued by an accredited college, university or community or junior college in the State of Mississippi,

9) ~~An official~~ Mississippi Voter Identification Card ~~containing a photograph of the elector~~, and

10) ~~Any~~ Photographic identification ~~identity document~~ issued by any branch, department, agency or entity of the United States government or any ~~U. S.~~ state government, including, but not limited to, a driver's license issued by a state other than Mississippi ~~and a Veteran's Universal Access Card.~~

B. ~~An "Assisted Living Center" shall mean an institution for the aged or infirm as defined by Miss. Code Ann. Section 43-11-1, licensed by the Mississippi Department of Health.~~

~~An~~ "Accredited college, university, community or junior college in the State of Mississippi" ~~shall~~ means a college, university, community college or junior college approved by the Mississippi Commission on College Accreditation.

C. "Business Days" ~~shall~~ means those days on which each Registrar's office is open for business, including those Saturdays on which each Registrar's office is open for ~~those~~ purposes as provided by statute.

D. "Current" ~~shall~~ means the document has no expiration date or has an issuance ~~was issued at a~~ date not more than ten (10) years prior to the date the document is presented.

E. ~~"Expired" shall mean the document was issued at a date more than ten (10) years~~

~~prior to the date the document is presented.~~

~~A "Licensed Nursing Home" shall mean an institution for the aged or infirm as defined by Miss. Code Ann. Section 43-11-1, licensed by the Mississippi Department of Health.~~

"EVVE" means the Electronic Verification of Vital Events system.

F. "Mississippi Voter Identification Card" ~~shall~~ means a card issued by the State of Mississippi through the individual offices of each county Registrar pursuant to Miss. Code Ann. Section 23-15-7, solely for the purpose of identifying a qualified elector by photographic identification who presents to a county Registrar, Municipal Clerk or polling place~~, in person,~~ to vote.

G. "Photo Identity Document" means a valid, but not current document, containing the elector's name and a photograph that fairly depicts the elector, issued by any branch, department, agency, division or entity of the United States government or any state government.

H. ~~"Photo Identification" shall mean photographic evidence of one's identity.~~ "Qualified Elector", as defined by Miss. Code Ann. Section 23-15-11, ~~shall refer to~~ means every inhabitant of the state of Mississippi, except persons adjudicated to be *non compos mentis,* who is a citizen of the United States, eighteen (18) years old and upwards, who has resided in the state of Mississippi 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 pursuant to Miss. Code Ann. Section 23-15-33, and who has never been convicted of any crime provided within Section 241 of the Mississippi Constitution of 1890.

I. "Registrar" ~~shall refer to~~ means each of the eighty-two (82) county registrars of elections, appointed by the State Board of Election Commissioners, pursuant to Miss. Code Ann. Section 23-15-223, and ~~likewise shall include~~ each deputy registrar as authorized by law.

J. "Receipt for the Mississippi Voter Identification Card" ~~shall~~ means a document ~~paper card~~, issued by the State of Mississippi through the individual offices of each county Registrar pursuant to Miss. Code Ann. Section 23-15-631, solely for the purpose of providing ~~a~~ temporary Acceptable Photographic Identification ~~means by which~~ to ~~identify~~ a qualified elector ~~by photographic identification~~ who presents to a county Registrar, Municipal Clerk, or polling place~~, in person,~~ to vote, which shall expire forty-five (45) days after issuance.

K. "SEMS" means the Statewide Elections Management System which is Mississippi's electronic voter roll.

L. "State-Licensed Care Facility" means an institution for the aged or infirm as defined by Miss. Code Ann. Section 43-11-1.

M. "UOCAVA" means the Uniformed and Overseas Citizens Absentee Voting Act.

N. "Valid" ~~shall~~ means ~~that~~ a document is what it purports to be, and is not a fake or forgery.

Source: Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 2: ~~*Acceptable Photographic Identification*~~ *Effective Date of Mississippi Voter Photo Identification*

Rule 2.1 Beginning with Elections held in the State of Mississippi occurring on or after June 3, 2014, each qualified elector, ~~of the state of Mississippi,~~ who is not exempt from these requirements and who appears to vote in person to vote by absentee ballot in the Registrar's Office or Municipal Clerk's Office, or who appears to vote at ~~a~~ his or her polling place on an election day ~~or at the Registrar's office and is not exempted from these requirements~~, must identify himself or herself ~~to an election official~~ by presenting Acceptable Photographic Identification as defined by Rule 1.1(A) before the elector may cast a ballot ~~one of the following current and valid (as defined herein at Chapter 1.2 and 1.8 respectively) forms of photographic identification.~~

~~A. A Mississippi driver's license,~~

~~B. An identification card, including, but not limited to an employee identification card, containing a photograph of the elector issued by a branch, department, agency or entity of the State of Mississippi,~~

~~C. A United States passport,~~

~~D. An employee identification card containing a photograph of the elector issued by any branch, department, agency or entity of the United States government,~~

~~E. A Mississippi license containing a photograph of the elector to carry a pistol or revolver,~~

~~F. A tribal identification card containing a photograph of the elector,~~

~~G. A United States military identification card containing a photograph of the elector,~~

~~H. A 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,~~

~~I. An official Mississippi Voter Identification card containing a photograph of the elector,~~

~~J. Any photo identity document issued by any branch, department, agency or entity of the U. S. government or any U. S. State, including, but not limited to, a driver's license issued by a state other than Mississippi and a Veteran's Universal Access Card.~~

Source: HB921 (2012 Regular Session) Section 1(2); Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 3: *Mississippi Voter Identification Card*

Rule 3.1 Intent and Purpose.

A. These rules are promulgated pursuant to the authority granted the Mississippi Secretary of State under Miss. Code Ann. Section 23-15-7.

B. It is the intent of the Mississippi Secretary of State to provide for the time, place, and manner in which each ~~county~~ Registrar's Office shall issue the Mississippi Voter Identification Card to eligible electors, to provide for the acceptable types of documentation or information necessary for an eligible elector to obtain the

Mississippi Voter Identification Card, and to provide certain other rules governing the Mississippi Voter Photo Identification law.

Source: Miss. Code Atm. Section 23-15-7(8).

Rule 3.2 Availability of Mississippi Voter Identification Card.

A. Eligible electors may apply for a Mississippi Voter Identification Card at the office of each Registrar and mobile locations, where available.

B. The Registrar of each county shall provide a location in each Registrar's office at which he or she shall make available and accept applications for the Mississippi Voter Identification Card and issue the Receipt for the Mississippi Voter Identification Card.

C. In counties having ~~that have~~ two (2) judicial districts, the Registrar shall provide a location in his or her ~~the Registrar's~~ office in each judicial district, at which he or she shall make available and accept applications for the Mississippi Voter Identification Card and issue the Receipt for the Mississippi Voter Identification Card.

D. The Registrar ~~of each county~~ shall accept applications for the Mississippi Voter Identification Card and issue the Receipt for the Mississippi Voter Identification Card during normal business hours and during such additional hours as are provided by statute.

E. ~~Any qualified and eligible elector may submit an application for the Mississippi Voter Identification Card at any county Registrar's office in the State of Mississippi, and receive issuance of his or her Receipt for the Mississippi Voter Identification Card.~~ The Registrar of the elector's county of residence shall be provided notice of the elector's submission of an application for and issuance of a Receipt for the Mississippi Voter Identification Card from the issuing ~~county~~ Registrar's office.

F. No fee shall be charged to the applicant or collected by the ~~county~~ Registrar for ~~the Registrar's~~ his or her provision and acceptance of the application for the Mississippi Voter Identification Card or the issuance of the Receipt for the Mississippi Voter Identification Card.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 3.3 Application for Mississippi Voter Identification Card.

A. The Registrar ~~of each county~~ shall provide a uniform application for the Mississippi Voter Identification Card in the form designed and published by the Mississippi Secretary of State as set forth ~~herein~~ ~~at~~ in Part 16, Exhibit A.

B. The ~~Office of the Secretary of~~ State of Mississippi shall make proper allowances and reimburse the Registrar for equipment and office supplies reasonably necessary for the issuance of the Receipt for the

Mississippi Voter Identification Card.

C. The application shall require the elector to (i) affirm he or she is registered to vote in Mississippi, or is registering to vote at the same time he or she is submitting an application for the Mississippi Voter Identification Card, (ii) affirm he or she does not currently possess ~~any of the forms of~~ Acceptable Photographic Identification as defined in Rule 1.1(A) to vote; and (iii) provide his or her full legal name, date of birth, legal residence address, and mailing address, if different.

D. The application shall be signed under oath, in the presence of the Registrar, and any falsification or fraud committed in making the application for the Mississippi Voter Identification Card with respect to the elector's name and address shall constitute false swearing as defined and punishable by Miss. Code Ann. Section 97-7-35.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 3.4 Eligibility for Issuance of the Mississippi Voter Identification Card. ~~A.~~ No qualified elector shall be eligible to obtain the Mississippi Voter Identification Card if that person currently possesses Acceptable Photographic Identification as defined in Rule 1.1(A). ~~a valid and unexpired Mississippi driver's license or a photographic identification card issued pursuant to Miss. Code Ann. Section 45-35-1, *et seq.*~~

~~B. To receive the Mississippi Voter Identification Card, the elector must complete and sign the application provided by the Registrar and present any of the following forms of identification to the Registrar:~~

~~1. A photo identity document. This shall mean any valid and expired document, containing the elector's name, and a photograph that fairly depicts the elector, issued by any branch, department, agency, division or entity of the U.S. government or any U.S. state.~~

~~2. Any documentation which sets forth the elector's full legal name, date and place of birth, includit1g but not limited to a birth certificate.~~

~~3. A Social Security card.~~

~~4. A Medicare card.~~

~~5. A Medicaid card.~~

~~6. Any of the following documents, provided the document sets forth the elector's name and current address:~~

~~i. Utility bill issued within the past 60 days,~~
~~ii. Bank statement issued within the past 60 days,~~
~~iii. Paycheck issued within the past 60 days, or~~
~~iv. Government check issued within the past 60 days.~~

~~C. To receive the Mississippi Voter Identification Card, the Registrar may electronically verify the elector's birth information by virtue of each Registrar's access to the Electronic Verification of Vital Events system (EVVE). The verification of the elector's birth information by the Registrar shall provide the required identification of the elector. No additional form of identification as set f01ih herein at Chapter 3.4 B. shall be required of the elector. The verification of the elector's birth information shall be provided by the Registrar free of charge to the elector.~~

~~D. A qualified, eligible elector submitting an application for the Mississippi Voter Identification Card who is unable to read or write, for reason of disability or otherwise, and who requests assistance shall not be required to personally complete the application in writing, but shall be required to execute the oath. In such cases, the Registrar shall read the application and oath to the elector, and the elector's answers thereto shall be written by the Registrar in completion of the application, with the elector making his mark, if unable to sign his or her name upon the oath.~~

~~Source: Miss. Code Ann. Sections 23-15-7(6) and 23-15-7(8).~~

Rule 3.5 Documentation Required for Issuance of the Mississippi Voter Identification Card. Before issuing a Mississippi Voter Identification Card, the Registrar shall require an elector to:

A. Complete and sign an application, and
B. Present any one of the following forms of documentation:

1. Photo Identity Document;
2. Any documentation which sets forth the elector's full legal name, date and place of birth, including, but not limited to, a birth certificate;
3. A Social Security card;
4. A Medicare card;
5. A Medicaid card;
6. Any of the following documents, provided the document sets forth the elector's name and his or her principal residential address:
   i. Utility bill issued within the past six (6) months,
   ii. Bank statement issued within the past six (6) months,
   iii. Paycheck issued within the past six (6) months,
   iv. Government check issued within the past six (6) months, or
   v. Any other government document that shows the elector's name and his or her principal residential address issued within the current calendar year, including, but not limited to, an IRS Form W-2, Wage and Tax Statement; or
7. Mississippi Voter Registration Card.

C. If an elector cannot present any one of the forms of documentation set forth in Rule 3.5(B), the Registrar may electronically verify the elector's birth

information by virtue of each Registrar's access to EVVE, free of charge. The verification of the elector's birth information by the Registrar shall provide the required identification of the elector. No additional form of identification as set forth in Chapter 3.5(B) shall be required of the elector.

D. A qualified, eligible elector submitting an application for the Mississippi Voter Identification Card, who is unable to read or write, by reason of disability or otherwise, and who requests assistance, shall not be required to personally complete the application in writing, but shall be required to execute the oath. In such cases, the Registrar shall read the application and oath to the elector, and the elector's answers thereto shall be written by the Registrar in completion of the application, with the elector making his mark, if unable to sign his or her name upon the oath. The Registrar shall write the name of the applying elector around or adjacent to the mark and indicate that the mark is that of the applying elector.

E. The oath of an eligible elector, submitting an application for the Mississippi Voter Identification Card, who is unable to read or write by reason of disability or otherwise, who requests assistance, and who is unable to execute the oath by signing his or her name or making his or her mark, shall be completed by the Registrar on behalf of the applying elector. The Registrar shall write the elector's name in completion of the oath and indicate that the applying elector is unable to sign his or her name or make his or her mark upon the oath.

Source: Miss. Code Ann. Sections 23-15-7(6) and 23-15-7(8).

Rule ~~3.5~~ 3.6 Processing the Application for the Mississippi Voter Identification Card ~~by Registrar.~~

A. To process the elector's application for the Mississippi Voter Identification Card, the Registrar shall require the elector to:
   1. Complete~~, sign, and submit~~ the Mississippi Voter Identification Card Application, ~~set forth in Rule 3.3~~ and
   2. ~~to~~ Present at least one of the forms of documentation ~~identification~~ set forth in Rule ~~3.4(B)~~ 3.5(B) or satisfy the requirements of Rule 3.5(C).

B. If the elector presents a Photo Identity ~~identification~~ Document pursuant to Rule ~~3.4(B)(1)~~ 3.5(B)(1), the Registrar shall verify:

   I. The photograph on the document "fairly depicts" the elector based on the guidelines set forth in Rule 4.1~~(C)(2)~~ (B)(2) below;
   2. The name on the document and the application is "substantially similar" to the name of the elector in SEMS ~~on the voter roll~~ based on the guidelines set forth in Rule 4.1~~(C)(3)~~ (B)(3) ~~below~~; and
   3. The address provided on ~~in~~ the application is the same address of the elector in SEMS ~~on the voter roll~~.

C. If the elector submits documentation pursuant to Rule 3.5(B)(2), ~~3.4(B)(2),~~ the Registrar shall verify the name on the document and

that the application is "substantially similar" to the name of the elector in SEMS ~~on the voter registration rolls~~ based on the guidelines set forth in Rule 4.1~~(C)(3)~~ (B)(3)below.

D. If the elector submits documentation pursuant to Rule 3.4(B)(3)-~~(6)~~ (7), the

Registrar shall verify:

1. The name on the document and the application is "substantially similar" to the name of the elector in SEMS ~~on the voter registration rolls~~ based on the guidelines set forth in Rule 4.1~~(C)(2)~~ (B)(3) below; ~~and~~
2. The address provided in the document, if any, and the address provided in the application is the same address of the elector in SEMS ~~on the voter registration rolls~~;
3. If the elector is not registered to vote by the address provided in the document and provided in the application, the Registrar ~~should~~ shall change the elector's address as it appears ~~on the voter roll~~ in SEMS to match the address provided in the document and applications; and
4. If the elector is not registered to vote by his or her full legal name (because the elector used an initial, abbreviation, maiden name, etc.), the Registrar shall change the elector's name as it appears in SEMS to match the elector's name as provided on his or her application.

E. If the elector completes, signs, and submits a valid application and presents ~~at least~~ any one of the forms of documentation ~~identification~~ set forth in Rule ~~3.4(B)~~ 3.5(B), as verified by the Registrar pursuant to Rule 3.5(B)-(D), or satisfies the requirements of Rule 3.5(C), the Registrar shall immediately:

1. Capture a digital photograph of the elector utilizing the equipment, supplies and training provided by the State of Mississippi,
2. Issue the Receipt for the Mississippi Voter Identification Card to the elector, which shall contain the digital photograph of the elector, utilizing the equipment, supplies and training provided by the State of Mississippi, if an election is to be held within forty-five (45) days of the date of the elector's application,
3. Inform the elector that he or she shall ~~should~~ receive the Mississippi Voter Identification Card within fourteen (14) calendar days, and may use the Receipt for the Mississippi Voter Identification Card to vote in any election held within ~~for~~ forty-five (45) days from the date of the elector's application ~~issuance~~, and
4. Transmit the required information to produce the Receipt for ~~the Receipt for~~ the Mississippi Voter Identification Card to the third-party vendor.

F. ~~If the elector is not registered to vote by his or her full legal name~~

~~(because the elector used an initial, abbreviation, maiden name, etc.), the Registrar should change his or her name as it appears on the voter roll in SEMS.~~

~~G.~~ If the elector completes, signs and submits a valid application, but the Registrar determines ~~the form of identification presented by~~ the elector does not satisfy the requirements of Rule 3.5(B) or Rule 3.5(C) ~~3.4(B)~~, the Registrar shall immediately advise the elector of the reason(s) why the application has been denied, and further advise the elector of the availability of an appeal process identical to the process provided an elector denied registration pursuant to Miss. Code Ann. Sections 23-15-61 and 23-15-63.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 3.7 ~~3.6~~ Automatic Review and Appeal of a Registrar's Denial of ~~Application for~~ Mississippi Voter Identification Card. In the event an elector is denied issuance of a Mississippi Voter Identification Card, there shall be an automatic review by the county election commissioner~~s~~ and appeal process available to the elector pursuant to Miss. Code Ann. Sections 23-15-61 through 23-15-79.

Source: Miss. Code Atm. Section 23-15-7(8).

Rule 3.8 ~~3.7~~ Cancellation and Surrender of Mississippi Voter Identification Card.

A. The Registrar ~~of each county~~ may cancel and require surrender of a Mississippi Voter Identification Card upon confirmation ~~that~~ the card was issued to a person not entitled thereto.

B. A Mississippi Voter Identification Card may be cancelled or required to be surrendered by the elector if:
   1. The elector is deceased,
   2. The elector is convicted of a disenfranchising crime,
   3. The elector is adjudicated to be incompetent,
   4. The elector has moved outside of the State of Mississippi, or
   5. The elector is otherwise no longer qualified to vote in Mississippi.

C. ~~Any~~ Registrar, who ~~that~~ cancels and/or requires surrender of a Mississippi Voter Identification Card shall immediately record the event in ~~the Statewide Elections Management Systems~~ in SEMS, and provide written notice to the elector by United States mail to the address provided for the elector in SEMS. The notice to the elector shall advise the elector of his or her right to appeal the cancellation or required surrender of the Mississippi Voter Identification Card pursuant to a process identical to the process set forth in Miss. Code Ann. Sections 23-15-61 and 23-15-63.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule ~~3.8~~ 3.9 Replacement of Mississippi Voter Identification Card. If a previously

issued Mississippi Voter Identification Card has been lost, destroyed, marred or mutilated, the name of the elector has changed, or the gender of the elector has changed, a replacement Mississippi Voter Identification Card may be issued to the elector in accordance with Rules 3.3 through 3.6 ~~the procedures set forth herein at Chapters 3.3, 3.4 and 3.5~~.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule ~~3.9~~ 3.10 ~~Expiration~~ Validity of Mississippi Voter Identification Card.

A. A Mississippi Voter Identification Card shall remain valid for as long as the elector ~~resides at the same address and~~ remains qualified to vote in Mississippi.

B. It shall be the duty of an elector who moves his or her residence ~~to another county within this~~ outside the state of Mississippi, ~~to surrender his or her Mississippi Voter Identification Card to the Registrar of the county of his or her new residence and the elector may thereafter apply for and receive a new Mississippi Voter Identification Card pursuant to Rules 3.4 and 3.5 above. It shall be the duty of an elector who moves his or her residence outside this state~~ or who ceases to be qualified to vote in Mississippi, to either surrender his or her card to the issuing Registrar or destroy the same.

Source: Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 4: ***Voting with Acceptable Photographic Identification ~~Documents.~~***

Rule 4.1 Election Official Determination ~~Assessment of Validity~~ of Acceptable Photographic Identification ~~Documents.~~

A. ~~When an~~ Each qualified elector, who is not exempt from these requirements and who appears to vote in person by absentee ballot in the Registrar's Office or Municipal Clerk's Office, or ~~in person~~ at his or her ~~a~~ polling place on an election day ~~or at the Registrar's office~~, must ~~the election official shall require the elector to~~ identify himself or herself by presenting Acceptable Photographic Identification as defined by Rule 1.1(A) before the elector may cast his or her ballot and vote.

B. The election official shall verify ~~assess the sufficiency and validity of the photographic identification presented by the elector as follows:~~

1. ~~Verify~~ The presented document is ~~one of the forms of accepted~~ Acceptable Photographic Identification as defined by Rule 1.1(A) ~~2.1~~.

2. ~~Verify~~ The photograph on the ~~accepted~~ Acceptable Photographic Identification "fairly depicts" the elector.

a. If the election official is unable to determine whether the elector is the person depicted in the ~~accepted~~ Acceptable Photographic Identification ~~because of degradation or insufficient photograph quality, the elector shall be entitled to vote by affidavit,~~ or affirmatively determines the elector is not the person depicted in the Acceptable Photographic Identification, the election official shall confer with the poll manager designated as the Bailiff, if the elector is voting in person in the polling place on an election day, or a second election official, if the elector is voting by absentee ballot in the Registrar's office or Municipal Clerk's Office.
b. If the Bailiff, or second election official, is likewise unable to determine whether the elector is the person depicted in the Acceptable Photographic Identification, or affirmatively determines the elector is not the person depicted in the Acceptable Photographic Identification, the elector shall be entitled to vote by affidavit ballot.
c. If the Bailiff, or the second election official, is able to determine the elector is the person depicted in the Acceptable Photographic Identification, the elector shall be entitled to cast his or her ballot.

3. ~~Verify~~ The elector's name as it appears on the ~~accepted~~ Acceptable Photographic Identification is "substantially similar" to the elector's name as it appears on the poll book.

a. An elector's name on the ~~presented~~ Acceptable Photographic Identification ~~document~~ is "substantially similar" to the name on the poll book if one or more of the following circumstances are present:

i. The name on the ~~accepted~~ Acceptable Photographic Identification is slightly different from the name as it appears on the poll book;
ii. The name on the ~~accepted~~ Acceptable Photographic Identification,
or on the poll book, is a customary variation or abbreviation of the formal name such as, for purposes of illustration only, "Bill" or "Wm." for "William", or "Pam" for "Pamela";
iii. The name on the ~~accepted~~ Acceptable Photographic Identification includes an initial, or a middle name that does not appear on the poll book, or vice versa, such as, for purposes of illustration only, "James W. Smith" or "James Wilson Smith"; or
iv. A first name, middle name, former name, maiden name or initial of the elector's name appears in a different order on the ~~accepted~~ Acceptable Photographic Identification than the

name appears on poll book, such as, for purposes of illustration only, "Alice Elizabeth Roberts" for "Elizabeth Alice Roberts".

b. If the elector's middle or last name on the ~~accepted~~ Acceptable Photographic Identification is different from his or her middle or last name as it appears on the poll book due to marriage, divorce, or hyphenation, the elector shall be entitled to cast his or her ballot if:

   i. A part of the name, the address ~~and~~ or the date of birth (if provided) on the Acceptable Photographic Identification ~~document~~ matches a part of the name, the address ~~and~~ or the date of birth of the elector on the poll book; and
   ii. The photograph on the Acceptable Photographic Identification "fairly depicts" the elector.

c. If the election official is unable to determine whether the elector's name, as it appears on the Acceptable Photographic Identification, is "substantially similar" to the name as it appears on the poll book, the election official shall confer with the poll manager designated as the Bailiff, if the elector is voting in person in the polling place on an election day, or a second election official, if the elector is voting by absentee ballot in the Registrar's office or Municipal Clerk's Office.

d. If the Bailiff, or second election official, is likewise unable to determine whether the elector's name, as it appears on the Acceptable Photographic Identification, is "substantially similar" to the name as it appears on the poll book, the elector shall be entitled to vote by affidavit ballot.

e. If the Bailiff, or second election official, is able to determine the elector's name, as it appears on the Acceptable Photographic Identification, is "substantially similar" to the name as it appears on the poll book, the elector shall be entitled to cast his or her ballot.

f. If the election officials determines, pursuant to Rules 4.1(B)(1)-(3) ~~(C)(1)-(3)~~, that the ~~photographic~~ identification ~~document~~ presented by the elector is ~~an~~ Acceptable Photographic Identification, "fairly depicts" the elector, and contains the name of the elector that is "substantially similar" to the name as it appears on the poll book, the elector shall be entitled to cast his or her ballot.

g. If the election officials determines, pursuant to Rules 4.1(B)(1)-(3) ~~(C)(1)-(3)~~, that the ~~photographic~~ identification ~~document~~ presented by the elector is not ~~an~~ Acceptable Photographic Identification, does not "fairly depict" the elector, or does not contain the name of the

elector that is "substantially similar" to the name as it appears on the poll book, the elector shall be entitled to vote by affidavit ballot pursuant to Miss. Code Ann. Section 23-15-573.

Source: Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 5: *Voting by Affidavit Ballot*

Rule 5.1 If a qualified elector appears at a Registrar's office or Municipal Clerk's Office to vote by absentee ballot, or at a polling place to vote on an ~~in any~~ election day, yet is unable to present ~~produce an~~ Acceptable Photographic Identification, or states ~~that~~ he or she has a religious objection to being photographed, the elector shall be ~~permitted~~ entitled to vote by affidavit ballot pursuant to Miss. Code Ann. Section 23-15-573.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 5.2 An affidavit ballot cast by an elector because he or she was ~~who is~~ unable to present ~~produce an~~ Acceptable Photographic Identification, either at the Registrar's Office or at the polling place in any election other than a municipal ~~on~~ election ~~day~~ shall not be rejected for this reason ~~counted as a vote~~ if, within five (5) business days after casting his or her affidavit ballot, the elector presents Acceptable Photographic Identification, in person, to the Registrar's Office of the elector's county of residence ~~an acceptable photographic identification~~.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 5.3 ~~An affidavit ballot cast by an elector with a religious objection to being photographed shall be counted as a vote if, within five (5) business days after castil1g his or her affidavit ballot, the elector executes a separate affidavit before the Registrar affirming the religious objection of the elector to being photographed.~~ An affidavit ballot cast by an elector because he or she was unable to present Acceptable Photographic Identification, either at the Municipal Clerk's Office or at the polling place in a municipal election, shall not be rejected for this reason if, within five (5) business days after casting his or her affidavit ballot, the elector presents Acceptable Photographic Identification, in person, to the Municipal Clerk's Office of the elector's municipality of residence.

Source: Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 6: *Exempted Electors*

Rule 6.1 Religious Objectors.

A. An elector who states that he or she does not have ~~an~~ Acceptable Photographic Identification due to a religious objection to being photographed shall be ~~allowed~~ entitled to vote by affidavit ballot pursuant to Miss. Code Ann.

Section 23-15-573.

B. An affidavit ballot, cast by an elector with a religious objection to being photographed in any election other than a municipal election, shall not be rejected for this reason ~~counted as a vote~~ if, within five (5) business days after casting his or her affidavit ballot, the elector executes a separate affidavit before the Registrar of the elector's county of residence affirming the religious objection of the elector ~~to being photographed~~.

C. An affidavit ballot, cast by an elector with a religious objection to being photographed in a municipal election, shall not be rejected for this reason if, within five (5) business days after casting his or her affidavit ballot, the elector executes a separate affidavit before the Municipal Clerk of the elector's city of residence affirming the religious objection of the elector.

Source: Miss. Code Ann. Section 23-15-7(8).

Rule 6.2 ~~Electors who are residents of a licensed nursing home or assisted living center, and who vote by absentee ballot by mail, are exempt from the requirements of photographic identification.~~ An elector who resides at a state-licensed care facility and who votes in person at a polling place located in that state-licensed care facility, is exempt from photo identification requirements.

Source: Miss. Code Ann. Section 23-15-7(8).

Part 16 Chapter 7. *Inapplicability of Photo Identification Requirements to Electors Voting by Absentee Ballot Pursuant to UOCAVA, Miss. Code Ann. Sections 23-15-715(b) and 23-15-673.*

Rule 7.1 Absentee Voting by Mail. An elector who receives and casts his or her vote by absentee ballot by mail pursuant to Miss. Code Ann. Section 23-15-715(b) is exempt from photo identification ~~the~~ requirements ~~of photographic identification~~.

Source: Miss. Code Ann. Sections 23-15-7(8) and 23-15-715(b).

Rule 7.2 UOCAVA Voting. An absent elector, as defined by Miss. Code Ann. Section 23-15-673, who ~~receives and~~ casts his or her vote by absentee ballot by mail, facsimile device (FAX) or electronic mail delivery (e-mail), pursuant to Miss. Code Ann. Section 23-15-699 is exempt from photo identification ~~the~~ requirements ~~of photographic identification~~.

Source: Miss. Code Ann. Sections 23-15-7(8), 23-15-673 and 23-15-699.

~~Rule 7.3 In Person Absentee Voting. An elector who appears in person before the Registrar of the county in which he or she resides, receives and casts his or her vote by absentee ballot pursuant to Miss. Code Ann. Section 23-15-715(a) is subject to the requirements of photographic identification.~~

~~Source: Miss. Code Ann. Section23-15-7(8) and 23-15-631(3).~~