

## **Affidavit Ballot Procedures**

### **2014 Municipal Elections Certification Training**

*Presented By:  
The Mississippi Secretary of State's Office  
Elections Division*



DELBERT HOSEMANN  
*Secretary of State*

---

---

---

---

---

---

---

---

## **Introduction**

- Any person who desires to vote and whose name does not appear on the poll books must be afforded the opportunity to cast an affidavit/provisional ballot.
- Under federal law, affidavit ballots are referred to as "provisional ballots."
  - The terms affidavit ballot and provisional ballot have the same meaning and are used interchangeably.

Reference: Miss. Code Ann. § 23-15-573



DELBERT HOSEMANN  
*Secretary of State*

---

---

---

---

---

---

---

---

## **Affidavit Ballots Are Used**

### **When:**

- The prospective voter's name does not appear on the pollbook.
- The voter has moved within the county, district, or municipality and did not notify the Circuit Clerk, Municipal Clerk, or Election Commission.
- The voter's name was erroneously purged.
- The voter has been illegally denied registration.
- The voter is a first-time, unverified mail-in voter and does not have a HAVA-approved form of identification.



DELBERT HOSEMANN  
*Secretary of State*

---

---

---

---

---

---

---

---

**Voter Verification for First-Time Mail-In Registrants**

- Under federal and state laws, voters who registered by mail-in application after January 1, 2004 may have to present a form of identification on Election Day to cast a regular election day ballot.
- Only applies to first-time, unverified mail-in registrants.
- Pollbooks should clearly indicate these voters.



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

**HAVA Approved Forms of Identification**

- Current and valid photo ID
- Current utility bill with voter's name and address
- Current bank statement with voter's name and address
- Current paycheck or government check with voter's name and address
- Any other government document exhibiting voter's name and address



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

**Affidavit Must Include:**

- Complete name
- All required addresses and telephone numbers
- Signature of the affiant
- Signature of one (1) of the election managers

Reference: Miss. Code Ann. § 23-15-573



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

**Affidavit Ballot Checklist #1**

- Voter appears at the polling place and Poll Manager determines that voter's name is not on the pollbooks.



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

**Affidavit Ballot Checklist #2**

- Poll Managers must then determine if the voter should be voting at another polling place by referring to a master list of all municipal voters, by contacting the Municipal Clerk, Municipal Election Commission or Municipal Executive Committee, or by simply asking where the voter resides.



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

**Affidavit Ballot Checklist #3**

- If the voter resides in another precinct, tell the voter he/she must go to that precinct's polling place.
- **Why?** If the voter casts a ballot at a precinct other than where the voter resides, the entire ballot must be rejected.



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

**Affidavit Ballot Checklist #4**

- If the Poll Managers establish that the voter is in the correct precinct but voter's name does not appear on the pollbook, they should advise the voter that he/she may vote by affidavit ballot.
- The voter must sign a separate sign-in sheet (Receipt Book).

Reference: Miss. Code Ann. § 23-15-573



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

**Affidavit Ballot Checklist #5**

- The voter and Poll Manager complete the appropriate sections of the affidavit ballot envelope.
- The Poll Manager checks the type of election, the name of the municipality, the reason for using an affidavit ballot, and print the name of the precinct and date.
- The voter provides as much of the identifying information as possible and checks the appropriate box under "Affidavit of Voter."



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

**Completing Affidavit Ballot Envelope**

- The voter signs the envelope.
- The Poll Manager signs the envelope.



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

**Affidavit Ballot Checklist #6**

- The Poll Manager provides the blank ballot to the voter.
- The voter is provided a suitable place where he/she can mark the ballot in secret.



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

**Affidavit Ballot Checklist #7**

- The voted ballot is folded by the voter and handed to the Poll Manager who places it in the ballot envelope and seals the envelope.



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

**Affidavit Ballot Checklist #8**

- The affidavit ballot envelope is then sealed and placed in the ballot box.



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

### **Affidavit Ballot Checklist #9**

- The voter is provided written information on how to ascertain whether his/her affidavit ballot was counted, and if not, why it was not counted.



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

---

---

### **Help America Vote Act**

***Due to the federal mandates of the Help America Vote Act (HAVA) and Miss. Code Ann. 23-15-573 (4), the existing affidavit procedure must now include giving the voter written instructions on how to ascertain if their vote was counted, and if not, why not.***



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

---

---

### **Instructions for Voters Who Cast Affidavit Ballots**

You have had to cast an affidavit ballot because you certified that:

- I am not registered to vote because I have been illegally denied registration; or,
  - I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in the municipality at least 30 days prior to this date, and,
  - I have moved recently from the old street address written above to the new address written above; or,
  - I have not moved recently, but my name is not on the pollbook; or,
  - I do not otherwise qualify under state or federal law to cast a *regular election day ballot*.
- Under new federal law, the Help America Vote Act of 2002, you are entitled to discover the disposition of your affidavit ballot. Please contact your Municipal Clerk, Municipal Election Commissioners, or Municipal Party Executive Committee Members to determine whether your affidavit ballot counted and if not, why not. Please contact:

• CONTACT: \_\_\_\_\_  
(Name of Municipal Elections Commissioner or Party Chair)

• PHONE: \_\_\_\_\_



DELBERT HOSEMANN  
Secretary of State

---

---

---

---

---

---

---

---

---

---

**Contact Information**  
*The Mississippi Secretary of State's Office*  
*Elections Division*  
**Kim Turner, Assistant Secretary of State, Elections**  
*Division*  
Post Office Box 136  
401 Mississippi Street  
Jackson, MS 39205  
Phone (601) 359-1350  
Elections Hotline 1-800-829-6786  
[www.sos.ms.gov](http://www.sos.ms.gov)



DELBERT HOSEMANN  
*Secretary of State*

---

---

---

---

---

---

---

---