

## **Title 1: Secretary of State**

### **Part 18: Polling Place Safety**

#### **Rule: Polling Place Safety and COVID-19**

##### **Part 18 Chapter 1: Definitions**

*Rule 1.1 Definitions.* For the purposes of these rules the below terms mean the following:

- A. “Absentee Ballot” means a ballot provided to a voter, prior to Election Day, who has submitted an absentee ballot application pursuant to Miss. Code Ann. Section 23-15-627 and Section 23-15-715.
- B. “Candidate” means an individual, who has qualified through the appropriate office, and whose name is printed on the official ballot.
- C. “Credentialed Poll Watcher” means a poll watcher of good conduct and behavior, that is authorized in writing to act as the representative of a candidate on the ballot, a political party that has a candidate on the ballot, or an election official authorized to have a poll observer such as the Secretary of State, Attorney General, or Department of Justice.
- D. “Officials in charge of the election” means either a County or Municipal Election Commissioner, who was elected or appointed pursuant to applicable laws, or a Party Executive Committee Member conducting a primary election, or the County or Municipal Registrar, and is responsible for the conduct of an election within their jurisdiction.
- E. “Facemask” means a surgical mask or any other kind of securely fastened cloth covering that covers the mouth and nose.
- F. “Personal Protective Equipment” means equipment worn to minimize exposures to hazards that cause workplace injuries and illness.
- G. “Poll Manager” means an official appointed by Election Commissioners, pursuant to applicable laws, to operate the polling place and aid in conducting an election by performing duties prescribed by applicable law.
- H. “Polling Place” means a location designated by the county board of supervisors for each county, or the local governing authority for each municipality, serving as the location at which voters assigned to said precinct may appear and cast their ballot, including the Circuit Clerk’s Office or Municipal Clerk’s Office for absentee voting.
- I. “Resolution Board Member” means an individual appointed to the Resolution Board pursuant to Miss. Code Ann. § 23-15-523 to process absentee ballots and review any blank, damaged, defective or over-voted ballots.

Source: *Miss. Code Ann.* §§ 23-15-637(3); 23-15-227(6).

*Rule 2.1 Election Officials Must Wear Personal Protective Equipment in the performance of duties.* Poll Managers, Resolution Board Members, officials in charge of the election, and other election officials, must wear personal protective equipment, including a facemask, when performing their duties within a jurisdiction that is under a public health emergency relating to

COVID-19. A voter, who is not wearing personal protective equipment, **must not be barred entry** into the polling place due to his/her failure to wear personal protective equipment.

Source: *Miss. Code Ann.* § 23-15-227(6).

*Rule 2.2 Candidates and credentialed poll watchers must wear masks when observing.* A candidate or credentialed poll watcher must wear a facemask, as defined in this Part, when observing a polling place, processing absentee ballots, and/or the canvassing of results, or any other election process open to the public that also allows observers.

Source: *Miss. Code Ann.* § 23-15-227(6).

*Rule 2.3 Effect of other orders, ordinances, resolutions, and other legal directives on Rule 2.1 and Rule 2.2.* If any jurisdiction in which a precinct is located falls under the jurisdiction of any order, resolution, ordinance, or any other legal directive (whether federal, state, county, or municipal) which requires stricter measures regarding the use of personal protective equipment than those in these rules, the Poll Managers, Resolution Board Members, Election Commissioners, candidates, credentialed poll watchers, and other election officials will be required to abide by those rules when performing their duties on Election Day, and in the case of candidates and credentialed poll watchers, when observing any election process open to the public. However, this rule shall not be construed as barring any voter from entering a polling place to cast his/her ballot if he/she do not abide by stricter measures regarding the use of personal protective equipment.

Source: *Miss. Code Ann.* § 23-15-227(6).

*Rule 2.4 Polling places serving more than one purpose on the date of the election.* If a location hosting a polling place is used for an additional purpose on Election Day, and entry to the location is conditioned upon wearing a facemask or temperature check, a person wishing to vote shall not be denied entry to the location for failure to wear a facemask or failure to submit to a temperature check upon entry to cast his/her ballot. However, after the individual has cast his/her ballot at the polling place, he/she may be required to exit the building and conform to any rules required for entry to the building. No voter shall be barred entry into a polling place due to his/her failure to have his/her temperature taken or to wear a mask.

Source: *Miss. Code Ann.* § 23-15-227(6).

*Rule 2.5 Lowering of facemask when presenting photo identification required under Miss. Code Ann. Section 23-15-563.* When a voter wearing a facemask is presenting acceptable photo identification pursuant to Miss. Code Ann. Section 23-15-563 and the poll manager is unable to identify the voter, the poll manager may ask the voter to step back six (6) feet, in accordance with social distancing guidelines, to briefly lower his/her facemask so the poll manager may identify that the picture on the acceptable photo identification fairly depicts the elector. If a physical barrier (sneeze guard) is located between the poll manager and the voter, the voter is not required to step back six (6) feet, but still shall lower his/her facemask for identification purposes.

Source: *Miss. Code Ann.* §§ 23-15-227(6); 23-15-563.

*Rule 2.6 Entering and Exiting polling place.* If the physical structure of the polling place allows it, the polling place must have a separate entrance and exit for voters.

Source: *Miss. Code Ann.* § 23-15-227(6).

*Rule 2.7 Social Distancing.* The polling place must be set up to allow for social distancing between voters. The polling place must have clearly visible markings six (6) feet apart to indicate where voters should stand to practice social distancing. Voters who fail to practice social distancing shall be asked by the bailiff of the polling place to practice social distancing as marked in the polling place. If the voter repeatedly fails to follow social distancing guidelines, the voter may be asked to vote by curbside voting pursuant to Rule 2.8 of these Rules.

Source: *Miss. Code Ann.* § 23-15-227(6).

*Rule 2.8 Curbside Voting and Open-Air Voting.*

- (a) When a voter states he/she has had significant exposure to COVID-19, or is exhibiting symptoms of COVID-19 (including, but not limited to coughing, vomiting, headaches, fever, sore throat, congestion, or loss of taste and/or smell), poll managers may direct the voter to an open-air voting option outside the physical structure of the polling place and away from other voters entering or exiting the polling place, or to vote by curbside voting from the voter's motor vehicle.
- (b) When poll managers have directed a voter to vote by curbside voting or open-air voting, two (2) poll managers must carry the poll book, the receipt book, and a ballot or voting device to the voter's motor vehicle or an area outside the polling place that is away from any voters entering or exiting the polling place. After determining the person is a qualified elector, as provided by law, by locating the person's name in the poll book, the poll managers shall identify the voter by requiring the elector to submit acceptable photo identification, as required by *Miss. Code Ann. Section 23-15-563*. The elector shall then be allowed to sign his/her name in the receipt book and cast his/her ballot in secret. To ensure the secrecy of the vote, other passengers in the motor vehicle, except those persons who are disabled, shall exit the motor vehicle until the elector has completed casting his/her ballot. After the voter casts his/her ballot, the poll managers must mark "VOTED" by the voter's name and in the appropriate column in the poll book.
  - a. If the ballot provided to the voter is a paper ballot, the initialing poll manager shall initial the ballot as provide by law, and the elector, after marking the ballot must fold the ballot or place it in a ballot sleeve. After the voter marks the ballot, the initialing poll manager or alternate initialing poll manager must determine whether the initials on the ballot are genuine, and upon a determination that the initials are genuine, shall without delay place the ballot in the ballot box.

- (c) If there are less than three (3) poll managers immediately present within the polling place conducting an election, and a voter wishing to curbside vote arrives, all voting at the polls shall stop until the poll managers conducting the curbside voting return to the polls. When voting is occurring within the polling place, there shall be at least three (3) poll managers immediately present to conduct the election. Until a minimum of three (3) poll managers are present, the remaining poll manager or poll managers shall ensure the security of the ballot box, the voting devices, and any ballots and election materials.

Source: *Miss. Code Ann.* §§ 23-15-227(6); 23-15-541.

*Rule 2.9 Required Signage in the Polling Place.* When constructing the polling place, poll managers must place the below listed signs at their assigned locations. Each is provided, in full, in the Appendix of this Part.

1. “Health Alert” Sign – Must be posted at the entrance to the polling place.
2. “Social Distancing” Sign – Must be posted where poll managers expect lines to form at the voting location to remind voters of social distancing standards.
3. “Poll book Table” Sign – Must be posted where poll managers have placed the poll book so voters are aware of the six-foot line and expected procedures.
4. “Safety Procedures” – Must be posted at the entrance to the polling place.
5. “Facemasks Strongly Suggested” – Must be posted at the entrance to the polling place.

Source: *Miss. Code Ann.* § 23-15-227(6).

APPENDIX A  
“Health Alert/Curbside” Sign

# HEALTH ALERT



Do not enter this building if you are experiencing any of these symptoms or have been in contact with anyone with these symptoms:

- Shortness of Breath
- Cough
- Fever (100.4F)
- Nasal congestion
- Sore Throat
- Achiness

Please call (     ) \_\_\_\_\_ - \_\_\_\_\_ to vote curbside.

Appendix B  
"Social Distancing" Sign

**HELP PREVENT  
THE SPREAD OF**

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**COVID-19**

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**SOCIAL DISTANCE**

**PLEASE MAINTAIN A SAFE DISTANCE  
FROM THOSE AROUND YOU.**



Appendix C  
“Poll Book” Sign

# STOP!



## Photo ID & Poll Book Procedures

### Please Follow Poll Workers Instructions:

**Step 1** – Place photo ID face up on table

**Step 2** – Step back to 6 feet from table

**Step 3** – Poll Worker will review ID and find your record

**Step 4** – Step up and sign poll book and take ID

Appendix 4  
"Safety Procedures" Sign

# HELP PREVENT THE SPREAD OF

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# COVID-19

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WASH YOUR  
HANDS OFTEN



AVOID CLOSE  
CONTACT



COVER COUGHS  
AND SNEEZES



CLEAN AND  
DISINFECT



AVOID TOUCHING  
YOUR FACE



VOTE CURBSIDE  
IF YOU ARE SICK





Appendix 5  
“Mask Suggested” Sign

# ATTENTION



**FACE MASKS ARE  
STRONGLY ENCOURAGED  
BEYOND THIS POINT**

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As Recommended by the CDC and  
Mississippi Department of Health.

