

Municipal Elections Overview

2021 Municipal Certification Training

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



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Election Official Training

The Mississippi State HAVA plan requires municipal election officials be certified by our Office to conduct elections within six (6) months of any regularly scheduled Primary or General Election:

- Election Commissioners
- Party Executive Committee Members
- Municipal Clerk and/or deputy municipal clerk(s)



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Section 5, Voting Rights Act

- Since June, 2013, preclearance of a change in existing voting practice from the U.S. Department of Justice is no longer required.
(*Shelby County, AL v. Holder*)



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Voting Machines

- Municipalities are not required to use any particular type of voting technology.
- Direct Recording Equipment (DRE) or Optical Mark Reading (OMR) voting machines are utilized in Primary and General Elections for county elections and are required for federal elections.
- Municipalities may use any voting method, but the municipality bears the cost.



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Municipal Boundaries and Districts

- Only voters who reside within the corporate boundaries of the municipality may participate in municipal elections.
- If your municipality is divided into wards or districts, only voters who reside within those wards or districts may vote in those races.



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Municipal Boundaries and Districts

- Municipal governing authorities may:
 - Possibly divide the municipality into wards.
 - Possibly divide the municipality into voting precincts with different polling places for those precincts.
- Municipal boundaries and districts must be entered into the Statewide Elections Management System (SEMS).



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Municipal Boundaries and Districts

- Redistricting is required every ten (10) years with the census to ensure equal representation.
- Any redistricting changes must be implemented in SEMS, and voters must be notified of any changes to polling places by sending a new voter registration card.



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Municipal Population and Aldermen

- Municipal population 10,000 or more:
7 aldermen, elected at large or by wards
- Municipal population 10,000 or less:
5 aldermen, elected at large or by wards
- Municipal population of 500 or less:
5 aldermen, but municipality may vote to
reduce to 3



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Municipal Clerk

Since 2017, all municipal clerks in code charter municipalities are appointed, as opposed to elected.



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Statewide Elections Management System

- Electronic Voter Roll for the entire State of Mississippi.
- Municipal Clerks are registrars of voters of the municipalities. (§23-15-35, *Miss. Code Ann.*)
- Coordination and cooperation between the Municipal Clerk and Election Commissioners and the County Circuit Clerk and Election Commissioners.



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Statewide Elections Management System

- Every election in Mississippi, including municipal elections, must be entered into SEMS so pollbooks may be printed.
- Municipalities may request and receive “Read Only” access to SEMS.
 - Read Only access to SEMS enables the municipality to print its own pollbooks.



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Voter Registration

- The Municipal Clerk's Office must be open the Saturday before the 30th day before any regularly scheduled Primary or General Election from 8am until 12 noon.
- A voter must be registered in the municipality 30 days prior to Election Day.
 - If the 30th day falls on a Sunday or holiday, the voter registration deadline is the following business day.



Disenfranchising Crimes

Arson	Armed Robbery	Bigamy
Bribery	Felony Bad Check	Embezzlement
Extortion	Felony Shoplifting	Forgery
Larceny	Statutory Rape	Murder
Perjury	Timber Larceny	Rape
Robbery	Unlawful Taking of a Motor Vehicle	
Theft	Receiving Stolen Property	
Carjacking	Obtaining Money or Goods Under False	
Larceny Under Lease		Pretense



Voter Registration

- A UOCAVA voter may register until 10 days prior to an election.
- The effective date of registration is the date the Federal Post Card Application is received by your office or, if received by mail, the date it was postmarked.



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Regularly Scheduled Election

Municipalities with Elections set by statute (2021)

- Regularly scheduled elections occur every four (4) years.
 - Primary Election: April 6, 2021
 - Primary Runoff Election: April 27, 2021
 - General Election: June 8, 2021



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Cost of Elections

The municipality pays all costs of all municipal elections: Primary, Primary Runoff, General and Special Elections.

- The municipal governing authority determines the compensation, if any, to be paid to the Municipal Election Commissioners and any compensation above the statutory minimum to be paid to poll workers.
- The municipal governing authority also determines the compensation of the Resolution Board.



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Municipal Election Commissioners

The municipal governing authority appoints registered voters of the municipality as election commissioners based the population:

- Less than 20,000: 3
- 20,000 or more, but less than 100,000: 5
- 100,000 or more: 7



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Municipal Executive Committee

Municipal Executive Committees are responsible for conducting municipal primary elections.

- A Municipal Executive Committee has as many members as elected officers of the municipality.
- Members are elected in the Primary Election.
- Vacancies are filled by appointment of the remaining members of the Executive Committee.



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Municipal Executive Committee

A political party which does not have a Municipal Executive Committee already in place may establish a temporary Executive Committee no later than 30 days of the qualifying deadline for municipal candidates.

- Miss. Code Ann. § 23-15-313

If no temporary committee is formed, the county executive committee may serve as the temporary municipal executive committee.



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Executive Committee Contract

Municipal Executive Committees may enter into written agreements with Municipal Election Commissions or Municipal Clerks to perform certain statutory duties in a Primary Election if the political party with which such Municipal Executive Committee is affiliated: (a) has cast for its candidate for Governor in the last two (2) gubernatorial elections 10% of the total vote cast for Governor; or (b) has cast for its candidate for Governor in three (3) of the last five (5) gubernatorial elections 25% of the total vote cast for Governor.



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Executive Committee Contract

- Appoint poll managers (*Miss. Code Ann. § 23-15-265*),
- Train poll managers (*Miss. Code Ann. § 23-15-239*),
- Distribute ballot boxes (*Miss. Code Ann. § 23-15-267*),
- Print ballots (*Miss. Code Ann. § 23-15-333*),
- Distribute to poll managers (*Miss. Code Ann. § 23-15-335*), and
- Canvass and certify the election (*Miss. Code Ann. § 23-15-597*).



Candidate Qualifying

- Qualifying Deadline – 60 days before the date of the first Primary Election.
 - February 5, 2021
- Deadline applies to both party primary and independent (general election) candidates.
- All candidates file their qualifying papers with the Municipal Clerk.



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Party/Primary Candidate Qualifying

Party/Primary Election candidates:

- Pay a filing fee of ten dollars (\$10.00) and
- File a Statement of Intent with the Municipal Clerk
 - Form Statement of Intent available on our website:
<http://www.sos.ms.gov/Elections-Voting/Pages/Candidate-Qualifying-Forms.aspx>.



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**Qualifying Statement of Intent
CANDIDATE FOR PARTY NOMINATION
OFFICE OF MAYOR**

I, _____
(Please print name, as it will appear on the ballot)
a qualified elector of the Municipality of _____,
State of Mississippi; do hereby declare my candidacy for the _____
(Political Party)
nomination for the office of Mayor for the Primary Election to be held on

(Date of Primary)

Name: _____ Date of Birth: ____/____/____
Last First Middle Month Day Year
Mailing Address: _____
City, State, Zip Code
Residential Address: _____
City, State, Zip Code
Phone Number: () _____ Email Address: _____

I hereby certify that: (mark as applicable):

- ☐ I have never been convicted of bribery, perjury or other infamous crime, being defined as a crime punishable by confinement in the penitentiary.
- ☐ I have never been convicted of a felony in federal court after December 8, 1992, nor of a crime in the court of another state which is a felony in this state, after December 8, 1992, as provided in Section 44 of the Mississippi Constitution.
- ☐ I meet all constitutional, statutory and other legal requirements to hold said office.

Signature of Candidate _____
Date

Received by: _____
Signature Title Date

INTERNAL OFFICE USE:
STMT OF INT W SIG _____
QUALIFYING FEE _____

DATE STAMP

Party/Primary Candidate Qualifying

- The Municipal Clerk should ascertain if a Municipal Executive Committee is in place before accepting any candidate's Statement of Intent or filing fee for a primary election.
- If a Municipal Executive Committee is in place, the clerk's office accepts the completed qualifying forms and forwards the same to the Secretary of the Executive Committee.



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Party/Primary Candidate Qualifying

- A receipt for payment should be given to party candidates, and the qualifying fee should be promptly paid to the Secretary of the Municipal Executive Committee.
- For auditing purposes, qualifying candidates should pay the filing fee to the Municipal Clerk's Office by check.



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Independent Candidate Qualifying

Independent candidates file a:

- Petition signed by no less than 50 qualified electors of municipality or district if the population is 1000 or more; 15 qualified electors of municipality or district if the population is less than 1000, and
- Statement of Intent.
 - Forms are available on our website:
<http://www.sos.ms.gov/Elections-Voting/Pages/Candidate-Qualifying-Forms.aspx>.



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Independent Candidate Qualifying

- Upon receipt of a filed Petition, the Municipal Clerk must verify the number of signatures are of registered voters of the municipality and/or district, and attach a Certificate.
- The filed Statement of Intent and Petition, with Certificate, should then be forwarded to the Municipal Election Commission.



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Qualifying Statement of Intent INDEPENDENT CANDIDATE OFFICE OF MAYOR

I, _____
(Please print name, as it will appear on the ballot)
a qualified elector of the Municipality of _____
State of Mississippi; do hereby declare my candidacy as an independent candidate for the office
of Mayor at the General Election to be held on _____
(Date of General)

Name: _____ Date of Birth: ____/____/____
Last First Middle Month Day Year

Mailing Address: _____
City, State, Zip Code

Residential Address: _____
City, State, Zip Code

Phone Number: () _____ Email Address: _____

I hereby certify that: (mark as applicable):

- ☐ I have never been convicted of bribery, perjury or other infamous crime, being defined as a crime punishable by confinement in the penitentiary.
- ☐ I have never been convicted of a felony in federal court after December 8, 1992, nor of a crime in the court of another state which is a felony in this state, after December 8, 1992, as provided in Section 44 of the Mississippi Constitution.
- ☐ I meet all constitutional, statutory and other legal requirements to hold said office.

Signature of Candidate _____ Date _____

Received by: _____
Signature Title Date

INTERNAL OFFICE USE:
STMT OF INT W SGR _____
PETITION W CERT _____

DATE STAMP



Page ____ of ____

Candidate Petition INDEPENDENT CANDIDATE FOR MAYOR

TO ELECTION COMMISSION of _____: We the undersigned qualified electors of
Name of Municipality

_____, County of _____, State of Mississippi, hereby petition that
Name of Municipality

the name of _____ be placed upon the General Election Ballot scheduled to
be held _____, 20____, as a candidate for the office of Mayor.

Any candidate seeking to be an independent candidate for municipal office must file a Statement of Intent and Petition signed by not less than the following number of qualified electors: (a) for an office elected by the qualified electors of a municipality at large, or by a ward or district, having a population of one thousand (1,000) or more, not less than fifty (50) qualified electors, or (b) for an office elected by the qualified electors of a municipality at large, or by a ward or district, having a population of less than one thousand (1,000), not less than fifteen (15) qualified electors, with the Municipal Clerk's Office no later than 5:00 p.m. on the same date by which candidates for nomination in the municipal primary elections are required to pay the fee provided for in Section 23-15-309.

- | | |
|---------------------|--------------------|
| 1. SIGNATURE _____ | Printed Name _____ |
| Address _____ | Precinct _____ |
| 2. SIGNATURE _____ | Printed Name _____ |
| Address _____ | Precinct _____ |
| 3. SIGNATURE _____ | Printed Name _____ |
| Address _____ | Precinct _____ |
| 4. SIGNATURE _____ | Printed Name _____ |
| Address _____ | Precinct _____ |
| 5. SIGNATURE _____ | Printed Name _____ |
| Address _____ | Precinct _____ |
| 6. SIGNATURE _____ | Printed Name _____ |
| Address _____ | Precinct _____ |
| 7. SIGNATURE _____ | Printed Name _____ |
| Address _____ | Precinct _____ |
| 8. SIGNATURE _____ | Printed Name _____ |
| Address _____ | Precinct _____ |
| 9. SIGNATURE _____ | Printed Name _____ |
| Address _____ | Precinct _____ |
| 10. SIGNATURE _____ | Printed Name _____ |
| Address _____ | Precinct _____ |

Copy this form for succeeding pages. The Municipal Clerk must certify signatures on this form.

The opening paragraph of each page of signatures MUST include:

(1) The name of the candidate, (2) office sought, and (3) date of the election.

Revised January 2020



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Qualifying Candidates

The Municipal Executive Committee for the Primary Election and the Municipal Election Commission for the General and Special Election determine the candidates' qualifications:

- Did the candidate timely submit the qualifying documents?
- Has the candidate lived in the municipality for two years before the date of the General Election?
- Is the candidate a qualified elector of the municipality and district/ward, if the office is a district/ward seat?
- Has the candidate been convicted of a disqualifying crime?
- Does the candidate meet the qualifications of the office sought.



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Miss. Code § 23-15-300

- Any candidate for any municipal office shall be a resident of the municipality that he or she seeks office in for two (2) years immediately preceding the day of the elections
 - This does not apply to a municipality with less than 1,000 residents according to the latest federal decennial census.
- Municipal election commissioners, or party executive committee in a primary, shall review and determine whether the candidate meets the applicable residency requirements under 23-15-299 and 23-15-359.



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Qualifying Candidates

When the Executive Committee or the Election Commission determines a candidate is not qualified, the candidate must be provided written notice and an opportunity to be heard.

- Let the candidate know his/her deficiency, when the committee is meeting, and offer suggestions of what to bring (proof of residency, pardon or non-adjudication, etc.).



Additional Candidate Requirements

Statement of Economic Interest:

- Candidates, within 15 days of qualifying deadline.
- Incumbents, on or before May 1st each year.
 - www.ethics.state.ms.us

Campaign Finance Disclosure Reports.



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Campaign Finance

The Municipal Clerk's Office must:

- Make blank forms available to candidates,
- Accept completed campaign finance reports from municipal candidates and political committees,
- Make completed forms available for public inspection,
- Provide copies of all reports to MSOS, and
- Notify the election officials if reports are not filed.



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Municipal Campaign Finance Schedule

- The below dates are for all candidates and political committees that have accepted campaign contributions or made disbursements in furtherance of a campaign:
 - Friday, January 29, 2021 - 2020 Annual Report
 - Tuesday, March 30, 2021 - Primary Pre-Election Report
 - Tuesday, April 21, 2021 - Primary Pre-Runoff Report
 - Tuesday, June 1, 2021 - Pre-Election Report
 - Monday, January 31, 2022 - 2021 Annual Report



Campaign Finance

All contributions in excess of \$200 in the aggregate must be itemized.

- Identify the contributor by name, mailing address, employer or occupation, date and amount of contribution.

All expenditures in excess of \$200 in the aggregate must be itemized.

- Identify the expenditure by name, mailing address, purpose of the disbursement (optional), date and amount of the expenditure.



Campaign Finance

Any campaign contributions received or expenditures made in furtherance of a campaign during calendar year 2020 (non-election year) must be reported by the candidate/political committee on the 2020 Annual Report.

- Deadline: January 29, 2021 at close of business in the Municipal Clerk's Office.



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Campaign Finance Penalties

A candidate's campaign finance report(s) **MUST** be filed prior to taking office.

- Misdemeanor, punishable by a fine not to exceed \$3000 or imprisonment for up to 6 months,
- No candidate may be certified as nominated or elected to office,
- No candidate elected to office may receive any salary or remuneration.



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Printing the Primary Election Ballot

- The Municipal Executive Committee is responsible for proofing and printing the ballot.
- The candidates' names are to be listed in alphabetical order.
- If only one candidate qualified for a particular office, the candidate's name need not be listed on the ballot, but the committee must declare that candidate to be the party's nominee.
- If all races are unopposed, the election should be dispensed with and the candidates declared the party's nominees.



Printing the General Election Ballot

- One commissioner designated by the Municipal Election Commission is responsible for proofing and printing the ballot.
- The order in which the candidates' names are listed is left to the discretion of the designated commissioner.



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Printing the General Election Ballot

If only one candidate qualified for a particular office, the candidate's name must be listed on the ballot.

If only one candidate qualified for all offices on the general election ballot, the Election Commission may dispense with the election and declare each candidate elected without opposition.



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Absentee Voting

- Absentee ballot applications must be available 60 days before any election.
- Absentee ballots must be available 45 days before an election, or as soon as possible.
- Absentee ballots must be printed on tinted paper of a tint different from that of the regular official ballot.



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Absentee Voting: Who is Eligible?

- Members of the United States Armed Forces, or their spouses and/or dependents.
- Members of the Merchant Marines or American Red Cross, or their spouses and/or dependents.
- Disabled war veterans who are patients in any hospital, or their spouses and/or dependents.
- Civilians attached to any branch of the Armed Forces, the Merchant Marines, or the American Red Cross and serving outside the United States, or their spouses and/or dependents.



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Absentee Voting: Who is Eligible?

- Any trained or certified emergency response provider who is deployed on Election Day during any state of emergency declared by the President of the United States or any Governor of any U.S. State.
- Persons temporarily residing outside the territorial limits of the United States and the District of Columbia.
- Students, teachers, or administrators whose employment or studies necessitate their absence from their county of voting residence, or their dependent or spouse who maintains a common domicile outside the county of voting residence.



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Absentee Voting: Who is Eligible?

- Persons who will be outside their municipalities of residence on Election Day.
- Persons required to be at work on election day during the times at which the polls will be open.
- Persons temporarily or permanently physically disabled.
- Members of the Mississippi Congressional delegation, or their spouses and/or dependents.



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Absentee Voting: Who is Eligible?

- Persons sixty-five (65) years of age or older.
- Parents, spouses, or dependents of persons having a temporary or permanent physical disability who are hospitalized outside their municipalities of residence or more than fifty (50) miles away from their residences if the parents, spouses, and/or dependents will be with such persons on Election Day.

Miss. Code Ann. § § 23-15-627; 23-15-673; 23-15-713



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Absentee Voting by Mail

Voters eligible to vote by absentee ballot by mail:

- Voters who are temporarily residing outside the municipality,
- Voters who are temporarily or permanently physically disabled,
- Voters who are sixty-five (65) years of age or older, or
- The parents, spouse, or dependents of temporarily or permanently disabled persons who are hospitalized outside of their municipalities of residence or more than 50 miles away from their residence if those persons will be with them on election day.



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Instructions to Absent Electors

The Municipal Clerk must enclose with each ballot mailed to an absentee voter printed instructions.

See, Miss. Code Ann. § 23-15-631.



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Instruction for Absentee Voters

- (a) All absentee voters, excepting those with temporary or permanent physical disabilities or those who are sixty-five (65) years of age or older, who mark their ballots in the county of the residence shall use the registrar of that county as the witness. The absentee voter shall come to the office of the registrar and neither the registrar nor his or her deputy shall be required to go out of the registrar's office to serve as an attesting witness.
- (b) Upon receipt of the enclosed ballot, you will not mark the ballot except in view or sight of the attesting witness. In the sight or view of the attesting witness, mark the ballot according to instructions.
- (c) After marking the ballot, fill out and sign the "ELECTOR'S CERTIFICATE" on the back of the envelope so that the signature is across the flap of the envelope to ensure the integrity of the ballot. All absent electors shall have the attesting witness sign the "ATTESTING WITNESS CERTIFICATE" across the flap on the back of the envelope. Place the necessary postage on the envelope and deposit it in the post office or some government receptacle provided for deposit of mail so that the absent elector's ballot will be postmarked on or before the date of the election and received by the registrar no more than five (5) business days after the election.

Any notary public, United States postmaster, assistant United States postmaster, United States postal supervisor, clerk in charge of a contract postal station, or other officer having authority to administer an oath or take an acknowledgment may be an attesting witness; provided, however, that in the case of an absent elector who is temporarily or permanently physically disabled, the attesting witness may be any person eighteen (18) years of age or older and such person is not required to have the authority to administer an oath. If a postmaster, assistant postmaster, postal supervisor, or clerk in charge of a contract postal station acts as an attesting witness, his or her signature on the elector's certificate must be authenticated by the cancellation stamp of their respective post offices. If an officer having authority to administer an oath or take an acknowledgement acts as attesting witness, his or her signature on the elector's certificate, together with his or her title and address, but no seal, shall be required. Any affidavits made by an absent elector who is in the Armed Forces may be executed before a commissioned officer, warrant officer, or noncommissioned officer not lower in grade than sergeant rating or any person authorized to administer oaths.

- (d) When the application accompanies the ballot it shall not be returned in the same envelope as the ballot but shall be returned in a separate preaddressed envelope provided by the registrar.
- (e) A candidate for public office, or the spouse, parent or child of a candidate for public office, may not be an attesting witness for any absentee ballot upon which the candidate's name appears, unless the voter is related within the first degree to the candidate or the spouse, parent or child of the candidate.
- (f) Any voter casting an absentee ballot who declares that he or she requires assistance to vote by reason of blindness, temporary or permanent physical disability or inability to read or write, shall be entitled to receive assistance in the marking of his or her absentee ballot and in completing the affidavit on the absentee ballot envelope. The voter may be given assistance by anyone of the voter's choice other than a candidate whose name appears on the absentee ballot being marked, the spouse, parent or child of a candidate whose name appears on the absentee ballot being marked or the voter's employer, an agent of that employer or a union representative; however, a candidate whose name is on the ballot or the spouse, parent or child of such candidate may

provide assistance upon request to any voter who is related within the first degree. In order to ensure the integrity of the ballot, any person who provides assistance to an absentee voter shall be required to sign and complete the "Certificate of Person Providing Voter Assistance" on the absentee ballot envelope.

Ballot Receipts Deadlines:

Absentee ballots and applications received by mail, except for fax or electronically transmitted ballots as otherwise provided by [Section 23-15-699](#) for UOCAVA ballots, must be postmarked on or before the date of the election and received by the registrar no more than five (5) business days after the election; any received after such time shall not be counted.

Under State law, you are entitled to discover the disposition of your absentee ballot. Please contact your registrar to determine whether your absentee ballot was counted, and, if not, then why. Please do not telephone the contact until ten (10) days from Election Day.

Registrar:

Phone Number:

Email Address (optional):



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Voter Information Slip

- Absentee voters casting a ballot in the Municipal Clerk's Office must be given instructions on how to find out whether the ballot was counted, and if not, why now.

Absentee Voter Information

Under State law, you are entitled to discover the disposition of your absentee ballot. Please contact your registrar to determine whether your absentee ballot was counted, and, if not, then why. Please do not telephone the contact until ten (10) days from Election Day.

Registrar:

Phone Number:

Email Address (optional):



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Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)

- Absentee ballots may be requested, sent and received by mail, email or fax.
- One absentee ballot application per calendar year.
- Absentee ballots must be prepared and sent 45 days prior to each election, if a previous request has been received.
- UOCAVA voters have an extended voter registration deadline: 10 days prior to the primary or general election.



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UOCAVA Voters

- Members of the United States Armed Forces, or their spouses and/or dependents.
- Members of the Merchant Marines or American Red Cross, or their spouses and/or dependents.
- Disabled war veterans who are patients in any hospital, or their spouses and/or dependents.
- Civilians attached to any branch of the Armed Forces, the Merchant Marines, or the American Red Cross and serving outside the United States, or their spouses and/or dependents.



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UOCAVA Voters

- Any trained or certified emergency response provider who is deployed on Election Day during any state of emergency declared by the President of the United States or any Governor of any U.S. State, or their spouses and/or dependents.
- Persons temporarily residing outside the territorial limits of the United States and the District of Columbia, or their spouses and/or dependents.
- Any student at the United States Naval Academy, Coast Guard Academy, Marine Academy, Air Force Academy or Military Academy, or their spouses and/or dependents.



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Voter Registration and Absentee Ballot Request Federal Post Card Application (FPCA)

Print clearly in blue or black ink.

This is a Mississippi specific version of the Federal Post Card Application (FPCA) which allows for the electronic signature of the voter by typing his or her name in the bottom blank. The FPCA is for absent Uniformed Service members, their families, and citizens residing outside the United States. It is used to register to vote, request an absentee ballot, and update your contact information. More instructions on how to fill out this Mississippi UOCAVA FPCA can be found at www.yallvote.sos.ms.gov.

1. Who are you? Pick one.

I request an absentee ballot for all elections in which I am eligible to vote AND:

- ☐ I am on active duty in the Uniformed Services or Merchant Marine -OR- ☐ I am an eligible spouse or dependent.
☐ I am an activated National Guard member on State orders.
☐ I am a U.S. citizen living outside the country, and I intend to return.
☐ I am a U.S. citizen living outside the country, and my return is uncertain.
☐ I am a U.S. citizen living outside the country, and I have never lived in the United States.

Last name	Suffix (Jr., II)	Sex	<input type="checkbox"/> Female <input type="checkbox"/> Male
First name	Previous names (if applicable)		
Middle name	Birth date (MM/DD/YYYY)	/	/
Social Security Number	Driver's license or State ID #		

2. What is your address in the U.S. State or territory where you are registering to vote and requesting an absentee ballot?

Your voting materials will not be sent to this address. See instructions on other side of form.

Street address	Apt #
City, town, village	State
County	ZIP

3. Where are you now? You must give your CURRENT address to receive your voting materials.

Your mailing address. (Different from above)	Your mail forwarding address. (If applicable)

4. What is your contact information? This is so election officials can reach you about your request.

Provide the country code and area code with your phone and fax number. Do not use a Defense Switched Network (DSN) number.

Email:	Phone:
Alternate email:	Fax:

5. What is your voting preference? Select One.

How do you want to receive voting materials from your election office?	What is your political party for primary elections?
<input type="checkbox"/> Mail <input type="checkbox"/> Email or online <input type="checkbox"/> Fax	

6. What additional information must you provide?

The following need more information: Alaska, Arizona, Puerto Rico, Vermont, and Virginia. (Ex. Proof of residency, employer, etc.) You may also use this space to clarify your voter information. See the [Voting Assistance Guide](#) at FVAP.gov.

7. You must read and sign this statement.

I swear or affirm, under penalty of perjury, that:

- The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for conviction of perjury.
- I am a U.S. citizen, at least 18 years of age (or will be by the day of the election), eligible to vote in the requested jurisdiction, and
- I am not disqualified to vote due to having been convicted of a felony or other disqualifying offense, nor have I been adjudicated mentally incompetent; or if so, my voting rights have been reinstated; and
- I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States, except the jurisdiction cited in this voting form.

Sign here X

Today's date
(MM/DD/YYYY)

/ /

Federal Write-In Absentee Ballot (FWAB)

1. Who are you? Pick one.

For absent Uniformed Service members, the families, and citizens residing outside the United States.

- ☐ I am on active duty in the Uniformed Services or Merchant Marine -OR- ☐ I am an eligible spouse or dependent.
☐ I am a U.S. citizen living outside the country, and I intend to return.
☐ I am a U.S. citizen living outside the country, and my intent to return is uncertain.
☐ I am a U.S. citizen living outside the country, and I have never lived in the United States.

Last name	Suffix (Jr., II)		Sex	<input type="checkbox"/> Female <input type="checkbox"/> Male
First name	Previous names (if applicable)			
Middle name	Birth date (MM/DD/YYYY)		/	/
Social Security Number	-	-	Driver's license or State ID #	

Your voting materials will not be sent to this address. See instructions on other side of form.

Street address	Apt. #
City, town, village	State
County	ZIP

Your mailing address. (Different from above) _____

Provide the country code and area code with your phone and fax number. Do not use a Defense Switched Network (DSN) number.

Email:		Phone:	
Alternate email:		Fax:	

A. Do you want to register and request a ballot for all elections you are eligible to vote in? ☐ Yes ☐ No

B. How do you want to receive voting materials from your election office? ☐ Mail ☐ Email or online ☐ Fax

C. What is your political party for primary elections?

The following need more information: Alabama, Alaska, Puerto Rico, Vermont, Virginia and Wisconsin, see back for instructions. Additional state instructions can be found at EVAP.gov.

I swear or affirm, under penalty of perjury, that:

- The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for conviction of perjury.
- I am a U.S. citizen, at least 18 years of age (or will be by the day of election), eligible to vote in the requested jurisdiction, and
 - I am not disqualified to vote due to having been convicted of a felony or other disqualifying offense, nor have I been adjudicated mentally incompetent; or if so, my voting rights have been reinstated; and
 - I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States, except the jurisdiction cited in this voting form.
- In voting, I have marked and sealed this ballot in private and have not allowed any person to observe the marking of this ballot, except those authorized to assist voters under State and Federal law.

Sign here **X**

Today's date

This information is for official use only. Any unauthorized release may be punishable by law.

Previous editions are obsolete.

Standard Form 105 (Rev. 04-2019) OMB No. 0704-0102

Federal Write-In Absentee Ballot (FWAB)

Instructions

- This ballot can be used to vote for federal offices.
- DO NOT write your name or any identifying number (SSN, driver's license) on this ballot.
- Photocopy this page if you require additional room for candidates or ballot initiatives.
- If you are voting in American Samoa, Guam, Puerto Rico, or the U.S. Virgin Islands, you may vote for Delegate or Resident Commissioner, and in presidential primaries.
- State laws vary about using the FWAB for other offices like Governor or Mayor. Learn more online at FVAP.gov.

President and Vice President

President and Vice President

U.S. Senator

U. S. Representative, Delegate, or Resident Commissioner to Congress

[illegible][illegible]

Standard Form 186 (Rev. 04-2019) OMB No. 0704-0102



Michael Watson
SECRETARY OF STATE

Record of Absentee Voters

- The Municipal Clerk must keep a permanent ledger for the purpose of showing the number of applications, the voter, and the person to whom the applications were given.
- The Municipal Clerk must also keep a list of all voters who cast an absentee ballot, and this list shall be conspicuously posted in the clerk's office for public inspection.



Distribution of Applications

- The registrar shall be responsible for furnishing an absentee ballot application to any **ELECTOR** authorized to receive an absentee ballot, upon the oral or written request of the elector who seeks to vote by absentee ballot.
- The parent, child, spouse, sibling, legal guardian, those empowered with a power of attorney for that elector's affairs or agent of the elector may orally request an absentee ballot application on behalf of the elector.



Michael Watson
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Permanently Disabled List

An application for an absentee ballot of a person who is permanently physically disabled may be accompanied by a statement signed and sworn to by a physician or nurse practitioner indicating the person is permanently physically disabled.

- This voter automatically receives an absentee ballot for all elections on a continuing basis without the need for another application.



Michael Watson
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Agents and Skilled Nursing Homes

- To obtain an application, an agent must have a written designation by the elector. It must be witnessed and have the address of the witness.
- The written designation is valid for one year.
- No one other than the voter, a family member or “person designated” may request an absentee ballot for a skilled nursing resident.
- “Family member” means a spouse, parent, grandparent, sibling, adult child, grandchild or legal guardian.



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SECRETARY OF STATE

Requests by Telephone

- The Municipal Clerk is authorized to accept requests for absentee ballots by telephone.
- The Municipal Clerk shall ascertain the name and complete address of the person making the telephone request and print on the application, the name and complete address of the requestor, the relationship to the voter if other than the voter, and the date the request was made.



Michael Watson
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Delivery of Ballots to Applicant

- The Municipal Clerk shall only deliver absentee ballots to an applicant by mail or to the applicant in the registrar's office.
- The voter shall fill in his ballot in secret, then fold the ballot and deposit it in the envelope furnished by the registrar.
- After sealing the envelope, the voter shall swear to an affidavit printed on the back of the envelope containing the applicant's signature.



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Seal and Initials of Clerk

- An absentee ballot application must have the seal of the Municipal Clerk and be initialed by the Clerk or a deputy clerk.
- A copy of an absentee ballot application is not valid unless it is a copy provided by the Municipal Clerk's Office and contains the original seal and initials of the Clerk or deputy clerk.



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Notarizing Applications

Absentee ballot applications must be notarized or sworn and subscribed to by another official authorized to witness absentee balloting/administer oaths.

- Except applications of voters who are temporarily or permanently disabled.
 - Witnessed by a person eighteen (18) years of age or older, who does not have to be a registered voter of the municipality.



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Type ballot requested: (Choose one)

- ☐ Democratic Primary ☐ Republican Primary ☐ General Election ☐ Special Election
☐ Democratic Runoff ☐ Republican Runoff ☐ General Runoff ☐ Special Runoff

OFFICIAL APPLICATION FOR ABSENTEE ELECTOR'S BALLOT

I, _____, duly qualified and registered in the _____ County of
STATE OF MISSISSIPPI, and State of Mississippi, coming with the purview of the definition 'ABSENTEE ELECTOR' will be absent from the county
of my residence on election day, or unable to vote in person because (Check appropriate reason):

- () (PRESIDENTIAL APPLICANT ONLY): I am currently a resident of Mississippi or have moved therefrom within thirty (30) days of the
coming presidential election.
- () I am an enlisted or commissioned member of any component of the United States Armed Forces and am a citizen of Mississippi, or a
spouse or dependent of such a member.
- () I am a member of the Merchant Marines or American Red Cross and am a citizen of Mississippi or a spouse or dependent of such a
member.
- () I am a disabled war veteran who is a patient in any hospital and am a citizen of Mississippi or a spouse or dependent of such a
veteran.
- () I am a civilian attached to and serving outside of the United States with any branch of the United States Armed Forces or with the
Merchant Marines or American Red Cross, and am a citizen of Mississippi or dependent of such a civilian.
- () I am a trained or certified emergency response provider deployed during the absentee voting period, on election day or during any
state of emergency declared by the President of the United States or Governor of any state within the United States.
- () I am a citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia.
- () I am a student, teacher or administrator at a college, university, junior or community college, high, junior high, elementary or grade
school whose studies or employment at such institution necessitates my absence from the county of my voting residence or a spouse or
dependent of such a student, teacher or administrator who maintains a common domicile outside the city of my voting residence with such
student, teacher or administrator.
- () I will be outside the county on Election Day.
- () I have a temporary or permanent physical disability.
- () I am sixty-five (65) years of age or older.
- () I am the parent, spouse or dependent of a person with a temporary or permanent physical disability, who is hospitalized outside his
county of residence or more than fifty (50) miles away from his residence, and I will be with such a person on election day.
- () I am a member of the congressional delegation, or a spouse or dependent of a member of the congressional delegation.
- () I am required to be at work on election day during the times at which the polls will be open.

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

Mail "ABSENTEE ELECTOR'S BALLOT" to me at the following address: _____
_____. (If eligible to vote by mail).

I realize that I can be fined up to Five Thousand Dollars (\$5,000.00) and sentenced up to five (5) years in the
penitentiary for making a false statement in this application and for selling my vote and violating the Mississippi Absentee
Voter Law.

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

DO NOT SIGN WITHOUT READING

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

(Signature of Absentee Elector)

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

(Official authorized to administer oaths for absentee balloting)

(City Clerk)

(Deputy Clerk)

TO BE SIGNED BY A WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY DISABLED:

I HEREBY CERTIFY that this application for an absentee elector's ballot was signed by the above-named
disabled elector in my presence and that I am at least eighteen (18) years of age, this the _____ day of
_____, 2_____.

(Signature of Witness)

CERTIFICATE OF DELIVERY

I hereby certify that _____ has requested that I _____
(Print name of voter) (Print name of person delivering application)
deliver to the voter this absentee ballot application. _____
(Signature of person delivering application)

(Address of person delivering application)

Office Use Only

Seal Here

Clerk Init. _____

Voter Receiving Assistance

If the voter has received assistance in marking his ballot, the person providing assistance must complete the **CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE**, which is printed on the back of the absentee ballot envelope.



Michael Watson
SECRETARY OF STATE

Signatures of Elector and Attesting Witness

On every envelope where the elector's signature and the signature of the attesting witness are required, the signatures must be across the flap of the envelope to ensure the integrity of the ballot.



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SECRETARY OF STATE

Prohibitions

- It is illegal to hand deliver absentee ballots.
- Unless an absentee ballot is being voted in the Municipal Clerk's office, it must be mailed by the clerk to the voter and the voter must return the voted absentee ballot by mail.
- A person who is a candidate for public office may not be an attesting witness for any absentee ballot upon which that person's name appears.



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Absentee Voting Deadlines

- Municipal Clerk's Office must be open from 8:00 a.m. to 12 noon the two (2) Saturdays immediately before each election.
- Deadline for in-person absentee voting: Saturday before a Tuesday election, 12 noon.
- Deadline for receipt of absentee ballots returned by mail: Five (5) business days after the date of the election at 5:00 p.m. if postmarked on or before Election Day.
- Deadline for UOCAVA ballots returned by email or fax: 7:00 p.m. on Election Day.



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Additional Responsibilities

The Municipal Clerk's Office must ensure:

- All voted absentee ballots are immediately placed and kept in a sealed ballot box,
- Absentee ballots and applications are kept in a secured location at the clerk's office, and
- All absentee ballots received after the deadline are marked with the date and time of receipt and properly preserved.



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Affidavit Ballots for Absentee Voters

Under recent changes to absentee voting laws and rules published by the Secretary of State, absentee ballots are now considered the voter's final vote.

When processing requests for absentee, the clerk will use SEMS, or mark on the pollbook, to indicate the absent voter has either an in-person absentee ballot or that they have been mailed an absentee ballot by marking "VOTED AB" next to the voter's name in the pollbook.



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Affidavit Ballots for Absentee Voters

When an absent voter appears at the polling place on Election Day and the poll manager sees “Voted AB” next to the voter’s name, the poll manager should not turn that voter away. The voter must be given an opportunity to complete an affidavit ballot.



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Voter Photo Identification

Any voter who casts an absentee ballot in the Municipal Clerk's Office or who casts a ballot in person on Election Day must present a current and valid, acceptable form of photo ID.

- Current means the photo ID has no expiration date at all, or was not issued more than ten (10) years prior to the date it is presented in the Clerk's Office during absentee voting or in the polling place on Election Day.
- Valid means it does not appear to be a fake or forgery.



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Acceptable Photo ID

1. Driver's license;
2. Photo ID card issued by any branch, department, agency, or entity of the State of Mississippi;
3. United States passport;
4. Employee photo ID card issued by any branch, department, agency, or entity of the U.S. government;
5. License to carry a pistol or revolver;
6. Tribal photo ID card;
7. Student ID card, issued by any accredited college, university or community or junior college in the State of Mississippi;
8. Mississippi Voter ID card;
9. Any photo ID issued by any branch, department, agency, or entity of the U.S. government or any state government, such as a driver's license issued by a state other than Mississippi.



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Absentee Voting with Voter ID

A voter who casts an absentee ballot by mail, e-mail or fax is NOT required to present or provide a copy of a photo ID when returning his/her voted absentee ballot.



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Voting with Photo ID

If the voter presents:

- *An acceptable form of photo ID,*
- *Which fairly depicts the voter, and*
- *The name on the presented photo ID is substantially similar to the voter's name as it appears in the pollbook,*

THEN the voter is entitled to cast a regular ballot.



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Voting with Photo ID

If the voter is UNABLE to:

- *Present an acceptable form of photo ID, or*
- *The photo on the presented ID does not fairly depict the voter, or*
- *The name on the presented ID is not substantially similar to the voter's name as it appears in the pollbook,*

THEN, the voter must be provided an affidavit ballot.



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AFFIDAVIT BALLOT

SEMS # _____

1. VOTER INFORMATION (to be completed by voter)

X

Printed Name of Voter		Maiden Name, if applicable
Date of Birth	*MS Driver's License #	Daytime Phone #
New (Current) Street Address - NO P.O. Box		City & Zip Code
Old (Previous) Street Address - NO P.O. Box		City & Zip Code
Current Mailing Address		City & Zip Code

Did you recently register to vote in this county? ____ Yes ____ No

* If you do not have a Mississippi Driver's License, then provide the last 4 digits of your Social Security number.

AFFIDAVIT OF VOTER (Check only ONE box below)

This day, I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

☐ 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 this county at least 30 days prior to this date, and:

☐ I have moved recently from the old street address (provided above) to the new address (provided above); **OR**,

☐ I have not moved recently, but my name is not on the pollbook; **OR**,

☐ I did not present acceptable photo ID; **OR**,

☐ I have a religious objection to being photographed; **OR**,

☐ I do not otherwise qualify under state or federal law to cast a regular election day ballot.

X

Signature of Voter _____ Date _____

X

Signature of Poll Manager (Poll Manager: Be sure to complete Poll Manager information on other side of this envelope.)

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above.
- Be sure you have signed this affidavit envelope.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted and, if it was not counted, the reason it was not counted.

2. POLL MANAGER

(Must sign on the other side of envelope)

Election: ☐ Primary ☐ General ☐ Special

_____, 20____ County of _____
(Month, Date)

Reason for Affidavit Ballot

☐ Voter's name not on pollbook

☐ Voter did not present ID

☐ Voter's name on inactive list

Date of Election: _____

Ballot issued from: _____

Comments: _____ (Name of Precinct)

3. FOR ELECTION COMMISSION OR PARTY COMMITTEE USE ONLY

Registered in Precinct: _____ (Name of Precinct)

Voted in Precinct: _____ (Name of Precinct)

Mark all that apply

☐ Not registered and no evidence of registration

☐ Registered but name not on pollbook

☐ Registered too late

☐ Moved within county/municipality

☐ Moved outside county/municipality

☐ Inactive or purged voter

☐ No acceptable photo ID

☐ Voter presented photo ID within 5 business days after casting ballot.

☐ Voter did not present photo ID within 5 business days after casting ballot.

☐ Voter completed affidavit of religious objection within 5 business days after casting ballot.

☐ Voter did not complete affidavit of religious objection within 5 business days after casting ballot.

Final Action Taken on Affidavit Ballot:

☐ ACCEPTED

☐ REJECTED

Follow-Up Action Taken:

☐ Address changed/updated in SEMS

☐ Voter returned to active status in SEMS

☐ Information forwarded to county/municipality

☐ Mail-in voter registration sent to voter

No voter is ever refused the right to vote, or turned away from the precinct because he/she does not have an acceptable photo ID.



Michael Watson
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Religious Objection

Voters who have a religious objection to being photographed are NOT required to present photo ID; however, these voters MUST vote by an affidavit ballot and, within five (5) business days after the Election, complete an Affidavit of Religious Objection in the Municipal Clerk's Office for the affidavit ballot to be accepted and counted.



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Voter ID Affidavit Voters

- A voter who casts an affidavit ballot because the voter could not present an acceptable form of photo ID has five (5) business days after Election Day to present an acceptable photo ID to the Municipal Clerk's Office.
- A voter who casts an affidavit ballot because the voter has a religious objection to being photographed has five (5) business days after Election Day to sign an Affidavit of Religious Objection in the Municipal Clerk's Office.



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Processing Voter ID Affidavit Ballots

- The Executive Committee or the Election Commission should provide the Municipal Clerk with a list of voter ID affidavit voters.
- The Municipal Clerk should check off the voters' names who present an acceptable form of photo ID within the five (5) business days after Election Day.
 - Make a copy of the presented photo ID.



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Penalty for NOT Asking for Photo ID

- Any poll manager who fails to ask or require a voter to present an acceptable form of photo ID before casting a regular ballot shall be prosecuted for corrupt conduct.
- **Miss. Code Ann. §97-13-19:** Penalty for corrupt conduct is imprisonment in the penitentiary for a term not exceeding two years.
- **Miss. Code Ann. §23-15-269:** Penalty for refusing or knowingly failing to perform any duty required by him by the election laws shall be fined not less that \$25.00 nor more than \$100.00 or imprisoned in the county jail not less than 10 days nor more than 90 days, or both.



1.844.MSVOTER



MSVoterID.ms.gov



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Poll Managers

- The Executive Committee for the Primary Elections and the Election Commission for the General and Special Elections appoint a minimum of three (3) registered voters of the municipality to serve as poll managers at each precinct.
- Alternate poll managers should be appointed and trained so they are available in the event a poll manager is unable to serve on Election Day.



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Student Poll Worker Interns

Section 23-15-240, Miss. Code allows students to be appointed as poll worker interns; this law allows teenagers to become more acquainted with their community, elections and their county elected officials. Student Interns must be

- Recommended by a principal or other school official,
- At least 16 years of age at the time of the election,
- A resident of the county/municipality, and
- Enrolled in a public high school, accredited private school, junior college, college/university or legitimate home instruction program.



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Appointing Additional Poll Managers

- Election Commissioners may, in their discretion, appoint up to an additional three (3) poll managers for the first 500 voters and may appoint additional poll managers, as deemed necessary, for each one thousand (1,000) registered voters or fraction thereof in each voting precinct above the first five hundred (500). Those poll managers appointed after the first 500 voters must be approved by the municipal governing authorities.

Reference: *Miss. Code Ann. § 23-15-235*



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Types of Poll Managers

- Receiving and Returning Manager
- Bailiff
- Initialing/Alternate Initialing Manager
- Voting Machine: Opening/Closing Manager
- Alternate Poll Managers



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Poll Manager Training

- The Executive Committee for the Primary Election and the Election Commission for the General Election, in conjunction with the Municipal Clerk, is responsible for conducting poll manager training.
- All poll workers must have received training within 12 months of the election.
- Training must be completed no later than five (5) days before the date of the election.



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Compensation of Poll Managers

- Poll Managers are paid a minimum of \$75 per election.
- The manager who is designated as the Receiving and Returning Manager is entitled to an additional \$10 for taking the boxes to the polling place and another \$10 for returning the boxes after the election. The Receiving and Returning manager is also entitled to receive mileage for each mile traveled in excess of ten (10).
- Municipal governing authorities may pay managers an additional amount not to exceed \$50 per election.



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Poll Manager Training Materials

The Secretary of State's Office provides the following Poll Manager Training Materials:

- Mississippi Poll Manager Guide
- On-Line Poll Manager Training (available on DVD)
- Municipal Election Handbook
- Materials may be downloaded from the Secretary of State's website from any computer.



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Resolution Board

- A Resolution Board must be appointed to process and count absentee ballots. A Resolution Board is also necessary if your municipality is utilizing a precinct or central scanner to review ballots rejected by the scanner.
- An odd number of not less than three (3) registered voters of the municipality.
- Members cannot include:
 - Election Commissioners, candidates and parents, siblings or children of candidates,
 - Members of a Municipal Executive Committee, in a Primary Election, and
 - Members of a Municipal Executive Committee, in a General Election unless members of all political parties who have a candidate on the ballot are appointed.
- Must attend a two-hour training specific to the Resolution Board's duties.



Purpose of the Resolution Board

- Election Day:
 - Process and count absentee ballots.
- Post-Election Day:
 - Manually review all damaged, defective, blank or over-voted ballots rejected by the tabulating equipment.
 - Determine the intent of the voter and record the vote intended by the voter.
 - Process absentee ballots received by mail within five (5) business days of Election Day.



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Resolution Board

- Notice of the meeting of the resolution board must be posted at least five (5) business days prior to the date of the meeting. The notice must be posted at the meeting place of the officials in charge of the election and at each polling place on election day.
- The notice must include the time, location, and purpose of the meeting.
- These are public meetings, and the public must be allowed to observe meetings of the resolution board.



Contact Information

Mississippi Secretary of State's Office *Elections Division*

P.O. Box 136

Jackson, MS 39205

(601)576-2550

Elections Hotline (800)829-6786

[*ElectionsAnswers@sos.ms.gov*](mailto:ElectionsAnswers@sos.ms.gov)

[*www.sos.ms.gov*](http://www.sos.ms.gov)



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