

By: Representatives Chism, Mayo, Montgomery
(74th), Nicholson

To: Apportionment and
Elections

HOUSE BILL NO. 1370

1 AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT PERSONS WHO HAVE BEEN CONVICTED IN A COURT OF THIS
3 STATE OR ANY OTHER STATE OR IN ANY FEDERAL COURT OF ANY FELONY
4 FROM BEING A QUALIFIED ELECTOR; TO AMEND SECTIONS 23-15-19,
5 23-15-39, 23-15-47, 23-15-151, 23-15-299 AND 23-15-309,
6 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED
7 PURPOSES.

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

9 SECTION 1. Section 23-15-11, Mississippi Code of 1972, is
10 amended as follows:

11 23-15-11. Every inhabitant of this state, except idiots and
12 insane persons, who is a citizen of the United States of America,
13 eighteen (18) years old and upwards, who has resided in this state
14 for thirty (30) days and for thirty (30) days in the county in
15 which he offers to vote, and for thirty (30) days in the
16 incorporated city or town in which he offers to vote, and who
17 shall have been duly registered as an elector pursuant to Section
18 23-15-33, and who has never been convicted of any crime listed in
19 Section 241, Mississippi Constitution of 1890, and who has never
20 been convicted in any court of this state, another state or in any
21 federal court, of any felony, shall be a qualified elector in and
22 for the county, municipality and voting precinct of his residence,
23 and shall be entitled to vote at any election. Any person who
24 will be eighteen (18) years of age or older on or before the date
25 of the general election and who is duly registered to vote not
26 less than thirty (30) days prior to the primary election
27 associated with such general election, may vote in such primary
28 election even though such person has not reached his or her

29 eighteenth birthday at the time such person offers to vote at such
30 primary election. No others than those above included shall be
31 entitled, or shall be allowed, to vote at any election.

32 SECTION 2. Section 23-15-19, Mississippi Code of 1972, is
33 amended as follows:

34 23-15-19. Any person who has been convicted of any crime
35 described in Section 23-15-11 shall not be registered, or if
36 registered the name of such person shall be erased from the
37 registration book on which it may be found by the registrar or by
38 the election commissioners. Whenever any person shall be
39 convicted in the circuit court of his county of any of said
40 crimes, the registrar shall thereupon erase his name from the
41 registration book; and whenever any person shall be convicted of
42 any of said crimes in any other court of any county, the presiding
43 judge thereof shall, on demand, certify the fact in writing to the
44 registrar, who shall thereupon erase the name of such person from
45 the registration book and file said certificate as a record of his
46 office.

47 SECTION 3. Section 23-15-39, Mississippi Code of 1972, is
48 amended as follows:

49 23-15-39. (1) Applications for registration as electors of
50 this state, which are sworn to and subscribed before the registrar
51 or deputy registrar authorized by law and which are not made by
52 mail, shall be made upon a triplicate form in the following words
53 and figures:

54 "APPLICATION FOR REGISTRATION

55 (You may receive assistance in filling out this form from any
56 person of your choosing. It is not necessary that this form be
57 filled out in the presence of the registrar, however, the oath
58 must be executed in the presence of the registrar or his deputy.)

59 1. What is your full name, including maiden name, if you
60 have one? _____

61 2. Please give your social security number. _____

62 3. What is your date of birth? _____

63 4. Are you a citizen of the United States? _____

64 5. What is your present residence address and each place you
65 have resided during the past year, stating when you lived at each
66 place, and specifying the municipality or community, the street
67 name and number and/or any other designation which accurately
68 describes the geographic location of your present residence
69 address?

70 (a) Present address: _____

71 From _____ (month) to date.

72 (b) Previous address: _____

73 From _____ (month) to _____ (month).

74 (c) Previous address: _____

75 From _____ (month) to _____ (month).

76 (If you need additional space, use the back side of this
77 form.)

78 6. What is your present mailing address? _____

79 7. Are you now a resident of this state and county? _____

80 8. Do you now reside within the city limits of a city or
81 town located within this county? _____

82 9. Have you ever registered to vote before in any other
83 county or state? If so, give the last place or last two (2)
84 places if registered more than once. _____

85 10. Have you ever been convicted of the crime of murder,
86 rape, bribery, theft, arson, obtaining money or goods under false
87 pretenses, perjury, forgery, embezzlement or bigamy or convicted
88 in any court of any felony? _____

89 11. The following questions may be answered by you at your
90 option and are solely for the purpose of aiding in registering you
91 in the proper precinct:

92 (a) Are there any registered voters living at your
93 present residence? _____ If so, give the name of each such
94 person. _____

95 (b) Do you have a telephone at your present residence?

96 _____ If so, give the telephone number of such telephone.

97 _____ Please give your work telephone number. _____

98 After you have answered 1 through 11 above, sign or make your
99 mark on the following oath in the presence of the registrar or
100 deputy registrar.

101 STATE OF MISSISSIPPI

102 COUNTY OF _____

103 I do solemnly swear (or affirm) that I am at least eighteen
104 (18) years old (or I will be before the next general election in
105 this county), and that I am now in good faith a resident of this
106 state and of _____ Election Precinct in this county, and that I
107 am not disqualified from voting by reason of having been convicted
108 of any crime listed in Question 10 of the application; that I have
109 truly answered all questions propounded to me in the foregoing
110 application for registration, and that I will faithfully support
111 the Constitutions of the United States and of the State of
112 Mississippi, and will bear true faith and allegiance to the same.
113 So help me God.

114 Applicant sign here: _____

115 SWORN TO AND SUBSCRIBED before me, this the ____ day of
116 _____ 20 ____.

117 _____ (Registrar)

118 By _____ (Deputy Registrar)"

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

122 (3) If the reply to Question 8 above is affirmative, the
123 county registrar shall forward notice of registration, a copy of
124 the application for registration, and any changes to such
125 registration when they occur, either by certified mail to the
126 clerk of the municipality indicated in the present residence
127 address stated in answer to Question 5(a) above or by personal

128 delivery to such clerk provided that a numbered receipt is signed
129 by such clerk in return for the described documents. Upon receipt
130 of the copy of the application for registration or changes to such
131 registration, and if a review of same indicates that the applicant
132 meets all the criteria necessary to qualify as a municipal
133 elector, then the clerk of said municipality shall make a
134 determination of the municipal voting precinct in which the person
135 making the application shall be required to vote. The clerk shall
136 send this municipal voting precinct information by United States
137 first-class mail, postage prepaid, to such person at the address
138 provided on the application. Any and all mailing costs incurred
139 by the county registrar or the clerk of the municipality in
140 effectuating this subsection shall be paid by the governing
141 authority of such municipality. If a review of the copy of the
142 application for registration or changes to such registration
143 indicates that the applicant is not qualified to vote in said
144 municipality, the clerk of said municipality shall challenge such
145 application. The municipal election commissioners responsible for
146 said municipality shall review any such challenge or
147 disqualification after having notified the applicant by certified
148 mail of such challenge or disqualification.

149 (4) If the reply to Question 9 above is affirmative, the
150 registrar or clerk shall on a monthly basis send notice of this
151 new registration to the registrar or clerk of the county stated in
152 Question 9 as the voter's previous place of registration. The
153 election commission of the voter's previous place of registration
154 shall be responsible for having such voter's name erased from the
155 appropriate registration book and pollbook.

156 (5) The registrar shall issue to the person making the
157 application a copy of such application upon which has been written
158 the county voting precinct in which said person shall vote. The
159 registrar shall assign a voter registration number to such person,
160 which shall be that person's social security number if such a

161 number is provided, and said voter registration number shall be
162 clearly shown on the application.

163 (6) Any person desiring an application for registration may
164 secure the same from the registrar of the county of which he is a
165 resident and may take said form with him and secure assistance in
166 completing said form from any person of the applicant's choice.
167 It shall be the duty of all registrars to furnish forms for
168 registering to all persons requesting the same, and it shall
169 likewise be his duty to furnish aid and assistance in the
170 completing of said forms when requested by an applicant. The
171 application for registration shall be sworn to and subscribed
172 before the registrar or deputy registrar at the municipal clerk's
173 office, the county registrar's office or any other location where
174 the applicant is allowed to register to vote. No fee or cost
175 shall be charged the applicant by the registrar for accepting the
176 application or administering the oath or for any other duty
177 imposed by law regarding the registration of electors.

178 (7) The receipt of a copy of the application for
179 registration sent pursuant to Section 23-15-35(2) shall be
180 sufficient to allow the applicant to be registered as an elector
181 of this state, provided that such application is not challenged as
182 provided for therein.

183 (8) In any case in which a municipality expands its
184 corporate boundaries by annexation, the municipal clerk shall,
185 within ten (10) days after the effective date of such annexation,
186 forward to the county registrar a map which accurately depicts the
187 annexed area. The county registrar shall, within ten (10) days
188 after the receipt of such map, forward to the municipal clerk a
189 copy of the most recent county precinct or subprecinct pollbook
190 for the county precincts in which such annexed area is included,
191 or equivalent computer data or information as will permit the
192 identification of county electors who reside in the annexed area.
193 The municipal clerk shall add those county electors who have

194 resided in the annexed area for at least thirty (30) days after
195 annexation to the municipal registration books as registered
196 voters of the municipality and shall forward to such persons
197 written notification of such addition and of the municipal
198 precinct or ward in which such persons reside.

199 SECTION 4. Section 23-15-47, Mississippi Code of 1972, is
200 amended as follows:

201 23-15-47. (1) Any person who is qualified to register to
202 vote in the State of Mississippi may register to vote by mail-in
203 application in the manner prescribed in this section.

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

206 (a) Any qualified elector may register to vote by
207 mailing or delivering a completed mail-in application to his
208 county registrar at least thirty (30) days prior to any election.
209 The postmark date of a mailed application shall be the date of
210 registration. The application shall be witnessed by one (1)
211 qualified elector in the county of the applicant's residence. The
212 name, address and, if available, the daytime telephone number of
213 the person witnessing the application must be legibly written or
214 printed on the application. The witness shall not be a candidate
215 for public office as of the date of the execution of the
216 application. Any applicant or witness is subject to the penalties
217 provided in Section 23-15-17 for false registration. Any person
218 who willfully swears falsely to any material matter on a mail-in
219 application is guilty of perjury and, upon conviction thereof,
220 shall be punished as provided in Section 97-9-61.

221 (b) Upon receipt of a mail-in application, the county
222 registrar shall stamp such application with the date of receipt,
223 and shall verify the application by contacting the applicant by
224 telephone, by personal contact with the applicant, or by any other
225 method approved by the Secretary of State. Within twenty-five
226 (25) days of receipt of a mail-in application, the county

227 registrar shall complete action on the application, including any
228 attempts to notify the applicant of the status of his application.

229 (c) If the county registrar determines that the
230 applicant is qualified and his application is legible and
231 complete, he shall mail the applicant written notification that
232 the application has been approved, specifying the county voting
233 precinct, polling place and supervisor district in which such
234 person shall vote. This written notification of approval
235 containing the specified information shall be the voter's
236 registration card. Said registration cards shall be provided by
237 the county registrar. The registrar shall assign a voter
238 registration number to such person, which shall be that person's
239 social security number if such a number is provided, and said
240 voter registration number shall be clearly shown on the
241 application and on the written notification of approval. In
242 mailing such written notification, the county registrar shall note
243 the following on the envelope: "DO NOT FORWARD." If any
244 registration notification form is returned as undeliverable, the
245 voter's registration shall be void.

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

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

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

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

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

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

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

265 (e) If the mail-in application of a person is subject
266 to rejection for any of the reasons set forth in paragraphs (d)(i)
267 through (iii) of this subsection, and it appears to the registrar
268 that the defect or omission is of such a minor nature and that any
269 necessary additional information may be supplied by the applicant
270 over the telephone or by further correspondence, the registrar may
271 write or call the applicant at the telephone number provided on
272 the application. If the registrar is able to contact the
273 applicant by mail or telephone, he shall attempt to ascertain the
274 necessary information and if this information is sufficient for
275 the registrar to complete the application, the applicant shall be
276 registered. If the necessary information cannot be obtained by
277 mail or telephone or is not sufficient, the registrar shall give
278 the applicant written notice of the rejection and provide the
279 reason for such rejection. The registrar shall further inform the
280 applicant that he has a right to attempt to register by appearing
281 in person or by filing another mail-in application.

282 (f) If a mail-in application is subject to rejection
283 for the reason stated in paragraph (d)(v) of this subsection and
284 the "present home address" portion of the application is different
285 from the residence address for the applicant found in the
286 registration book, the mail-in application shall be deemed a
287 written request to transfer registration pursuant to Section
288 23-15-13. Subject to the time limits and other provisions of
289 Section 23-15-13, the registrar or the election commissioners
290 shall note the new residence address on his records and, if
291 necessary, transfer the applicant to his new precinct, advise the

292 applicant of his new precinct, polling place and supervisor
293 district, and notify the municipal clerk of any such changes on a
294 monthly basis.

295 (3) The instructions and the application form for voter
296 registration by mail shall be in the following form and shall
297 contain the following information:

298 "INSTRUCTIONS FOR MAIL-IN VOTER REGISTRATION

299 1. Anyone may assist you in completing the enclosed
300 application.

301 2. A registered voter of your county who is not now a
302 candidate for public office must complete and sign the 'Witness
303 Signature and Certification' portion of the enclosed application.

304 3. All required information must be supplied in legible
305 form.

306 4. The completed application must be mailed or delivered to
307 the registrar of your county at least thirty (30) days before an
308 election in order for you to be registered for that election.
309 Applications which are mailed must be postmarked thirty (30) days
310 prior to any election.

311 5. The penalty for conviction of false registration is a
312 felony punishable by a fine of not more than Five Thousand Dollars
313 (\$5,000.00) or imprisonment for not more than five (5) years, or
314 both."

315 "APPLICATION FOR VOTER REGISTRATION BY MAIL

316 STATE OF MISSISSIPPI

317 I, _____, hereby apply for registration as a
318 voter of _____ County, Mississippi.

319 1. Full Name, including maiden name if you have one:

320 _____ (First, Middle and/or Maiden, Last)

321 2. Male ___ Female ___

322 3. Please give your social security number: _____

323 4. Date of Birth: _____ 4a. Age: _____

324 5. Present Home Address:

325 (a) _____ (Street and Number)

326 _____ (City, State, Zip)

327 (b) How long have you lived there?

328 From _____ (month/year) to present.

329 (c) Do you now live in a city or town of this
330 county? _____ If so, which? _____

331 (d) Telephone number, if available:

332 (i) Home telephone number _____

333 (ii) Daytime or work telephone number _____

334 6. Mailing Address: Give your current mailing address if
335 different from your present home address:

336 _____ (Box or Street and Number)

337 _____ (City, State, Zip)

338 7. Previous Address: List your most recent address before
339 your present address:

340 _____ (Box or Street and Number)

341 _____ (City, State, Zip)

342 From _____ (month/year) to _____ (month/year)

343 8. Last Registration: Have you ever registered to vote
344 before in any other county in Mississippi or in any other state?

345 _____ If yes, give the last place you were registered:

346 _____ (City, County, State)

347 9. Citizenship, Residence, Prior Convictions:

348 (a) Are you a citizen of the United States? _____

349 (b) Are you a resident of this state and county? _____

350 (c) Have you ever been convicted of the crime of murder,
351 rape, bribery, theft, arson, obtaining money or goods under false
352 pretenses, perjury, forgery, embezzlement, or bigamy, or convicted
353 in any court of any felony? ____ If so, what State _____,
354 County _____? Date of conviction _____.

355 10. Will you need assistance on election day? _____. If
356 yes, for which of the following reasons: permanently physically

357 disabled_____; other (please describe)_____

358 _____.

359 11. Applicant Signature and Certification:

360 I certify that I am at least eighteen (18) years old (or I

361 will be before the next general election), that the above

362 information given by me is true and correct and that I have truly

363 answered all questions in the foregoing application for

364 registration, and that I will faithfully support the Constitution

365 of the United States and of the State of Mississippi, and will

366 bear true faith and allegiance to the same.

367 Applicant sign here: _____

368 Date: _____

369 12. Witness Signature and Certification:

370 I certify that I am a registered voter in _____

371 County, Mississippi, that I am not now a candidate for public

372 office, and that the above named applicant signed this application

373 for registration in my presence. I further certify that I have

374 read the above application, and that the facts stated therein are

375 true and correct to the best of my knowledge. I personally know

376 the person who appeared before me or I have seen the person's

377 identification. I understand that the penalty for knowingly

378 procuring a person's registration who is not entitled to be

379 registered, or is registered under a false name or in any other

380 voting precinct than that in which he resides, is a fine of not

381 more than Five Thousand Dollars (\$5,000.00) or imprisonment for

382 not more than five (5) years, or both.

383 Witness sign here: _____

384 Full name and address of witness (Print):

385 Name: _____

386 Address: _____ (Street and Number)

387 _____ (City, State, Zip)

388 Telephone number, if available:

389 Home telephone number _____

390 Daytime or work telephone number _____"

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

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

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

408 (5) The originals of completed mail-in applications shall
409 remain on file in the office of the county registrar in accordance
410 with Section 23-15-113. Nothing in this section shall preclude
411 having applications on microfilm or microfiche.

412 (6) If the reply to question 5(c) above is affirmative, the
413 county registrar shall forward notice of registration, a duplicate
414 copy of the application for registration, and any changes to such
415 registration when they occur, either by certified mail to the
416 clerk of the municipality indicated in the present residence
417 address stated in answer to Question 5(c) above or by personal
418 delivery to such clerk, provided that a numbered receipt is signed
419 by such clerk in return for the described documents. Upon receipt
420 of the copy of the application for registration or changes to such
421 registration, and if a review of same indicates that the applicant
422 meets all the criteria necessary to qualify as a municipal

423 elector, then the clerk of said municipality shall register the
424 applicant as a municipal elector and make a determination of the
425 municipal voting precinct in which the person making the
426 application shall be required to vote. The clerk shall send this
427 municipal voting precinct information by United States first-class
428 mail, postage prepaid, to such person at the address provided on
429 the application. Any and all mailing costs incurred by the county
430 registrar or the clerk of the municipality in effectuating this
431 subsection shall be paid by the governing authority of such
432 municipality. If a review of the copy of the application for
433 registration or changes to such registration indicates that the
434 applicant is not qualified to vote in said municipality, the clerk
435 of said municipality shall deny such application and notify
436 applicant.

437 (7) If the reply to Question 8 above is affirmative, the
438 registrar or clerk shall send written notice of this new
439 registration by regular United States mail to the registrar or
440 clerk of the county stated in Question 8 as the voter's previous
441 place of registration. The information shall include the complete
442 name, address and age of the voter and shall include the social
443 security number of such voter if it has been previously supplied.
444 The election commission of the voter's previous place of
445 registration shall be responsible for having such voter's name
446 erased from the appropriate registration book and pollbook.

447 SECTION 5. Section 23-15-151, Mississippi Code of 1972, is
448 amended as follows:

449 23-15-151. The circuit clerk of each county is authorized
450 and directed to prepare and keep in his office a full and complete
451 list, in alphabetical order, of persons convicted of any crime
452 described in Section 23-15-11. Said clerk shall enter the names
453 of all persons who have been or shall be hereafter convicted of
454 any crime described in Section 23-15-11 in a book prepared and
455 kept for that purpose. The board of supervisors of each county

456 shall, as early as practicable, furnish the circuit clerk of their
457 county with a suitable book for the enrollment of said names
458 showing the name, date of birth, address, court, crime and date of
459 conviction. Said roll, when so prepared, shall be compared with
460 the registration book before each election commissioner of the
461 county. A certified copy of any enrollment by one clerk to
462 another will be sufficient authority for the enrollment of such
463 name, or names, in another county.

464 SECTION 6. Section 23-15-299, Mississippi Code of 1972, is
465 amended as follows:

466 23-15-299. (1) Assessments made pursuant to paragraphs (a),
467 (b) and (c) of Section 23-15-297 and assessments made pursuant to
468 paragraph (d) of Section 23-15-297 for legislative offices shall
469 be paid by each candidate to the Secretary of the State Executive
470 Committee with which the candidate is affiliated by 5:00 p.m. on
471 March 1 of the year in which the primary election for the office
472 is held or on the date of the qualifying deadline provided by
473 statute for the office, whichever is earlier.

474 (2) Assessments made pursuant to paragraphs (d) and (e) of
475 Section 23-15-297, other than assessments made for legislative
476 offices, shall be paid by each candidate to the circuit clerk of
477 such candidate's county of residence by 5:00 p.m. on March 1 of
478 the year in which the primary election for the office is held or
479 on the date of the qualifying deadline provided by statute for the
480 office, whichever is earlier; provided, however, that no such
481 assessments may be paid before January 1 of the year in which the
482 election for the office is held. The circuit clerk shall forward
483 the fee and all necessary information to the secretary of the
484 proper county executive committee within two (2) business days.

485 (3) Assessments made pursuant to paragraphs (f) and (g) of
486 Section 23-15-297 must be paid by each candidate to the Secretary
487 of the State Executive Committee with which the candidate is
488 affiliated by 5:00 p.m. sixty (60) days before the presidential

489 preference primary in years in which a presidential preference
490 primary is held. Assessments made pursuant to paragraphs (f) and
491 (g) of Section 23-15-297, in years when a presidential preference
492 primary is not being held, shall be paid by each candidate to the
493 Secretary of the State Executive Committee with which the
494 candidate is affiliated by 5:00 p.m. on March 1 of the year in
495 which the primary election for the office is held.

496 (4) (a) The fees paid pursuant to subsections (1), (2) and
497 (3) of this section shall be accompanied by a written statement
498 containing the name and address of the candidate, the party with
499 which he or she is affiliated and the office for which he or she
500 is a candidate.

501 (b) The State Executive Committee shall transmit to the
502 Secretary of State a copy of the written statements accompanying
503 the fees paid pursuant to subsections (1) and (2) of this section.
504 All copies must be received by the Office of the Secretary of
505 State by not later than 6:00 p.m. on the date of the qualifying
506 deadline; provided, however, the failure of the Office of the
507 Secretary of State to receive such copies by 6:00 p.m. on the date
508 of the qualifying deadline shall not affect the qualification of a
509 person who pays the required fee and files the required statement
510 by 5:00 p.m. on the date of the qualifying deadline. The name of
511 any person who pays the required fee and files the required
512 statement after 5:00 p.m. on the date of the qualifying deadline
513 shall not be placed on the primary election ballot.

514 (5) The secretary or circuit clerk to whom such payments are
515 made shall promptly receipt for same stating the office for which
516 such candidate making payment is running and the political party
517 with which he or she is affiliated, and he or she shall keep an
518 itemized account in detail showing the exact time and date of the
519 receipt of each payment received by him or her and, where
520 applicable, the date of the postmark on the envelope containing

521 the fee and from whom, and for what office the party paying same
522 is a candidate.

523 (6) The secretaries of the proper executive committee shall
524 hold said funds to be finally disposed of by order of their
525 respective executive committees. Such funds may be used or
526 disbursed by the executive committee receiving same to pay all
527 necessary traveling or other necessary expenses of the members of
528 the executive committee incurred in discharging their duties as
529 committeemen, and of their secretary and may pay the secretary
530 such salary as may be reasonable.

531 (7) Upon receipt of the proper fee and all necessary
532 information, the proper executive committee shall then determine
533 whether each candidate is a qualified elector of the state, state
534 district, county or county district which they seek to serve, and
535 whether each candidate meets all other qualifications to hold the
536 office he is seeking or presents absolute proof that he will,
537 subject to no contingencies, meet all qualifications on or before
538 the date of the general or special election at which he could be
539 elected to office. The committee also shall determine whether any
540 candidate has been convicted of any felony in a court of this
541 state, or has been convicted on or after December 8, 1992, of any
542 offense in another state which is a felony under the laws of this
543 state, or has been convicted of any felony in a federal court on
544 or after December 8, 1992 or has been convicted of any crime
545 described in Section 23-15-11. Excepted from the above are
546 convictions of manslaughter and violations of the United States
547 Internal Revenue Code or any violations of the tax laws of this
548 state unless the offense also involved misuse or abuse of his
549 office or money coming into his hands by virtue of his office. If
550 the proper executive committee finds that a candidate either (a)
551 is not a qualified elector, (b) does not meet all qualifications
552 to hold the office he seeks and fails to provide absolute proof,
553 subject to no contingencies, that he will meet the qualifications

554 on or before the date of the general or special election at which
555 he could be elected, * * * (c) has been convicted of a felony as
556 described in this subsection, and not pardoned, (d) or has been
557 convicted of any crime described in Section 23-15-11, then the
558 name of such candidate shall not be placed upon the ballot.

559 Where there is but one (1) candidate for each office
560 contested at the primary election, the proper executive committee
561 when the time has expired within which the names of candidates
562 shall be furnished shall declare such candidates the nominees.

563 (8) No candidate may qualify by filing the information
564 required by this section by using the Internet.

565 SECTION 7. Section 23-15-309, Mississippi Code of 1972, is
566 amended as follows:

567 23-15-309. (1) Nominations for all municipal officers which
568 are elective shall be made at a primary election, or elections, to
569 be held in the manner prescribed by law. All persons desiring to
570 be candidates for the nomination in the primary elections shall
571 first pay Ten Dollars (\$10.00) to the clerk of the municipality,
572 at least sixty (60) days prior to the first primary election, no
573 later than 5:00 p.m. on such deadline day.

574 (2) The fee paid pursuant to subsection (1) of this section
575 shall be accompanied by a written statement containing the name
576 and address of the candidate, the party with which he is
577 affiliated, and the office for which he is a candidate.

578 (3) The clerk shall promptly receipt the payment, stating
579 the office for which the person making the payment is running and
580 the political party with which such person is affiliated. The
581 clerk shall keep an itemized account in detail showing the time
582 and date of the receipt of such payment received by him, from whom
583 such payment was received, the party with which such person is
584 affiliated and for what office the person paying the fee is a
585 candidate. The clerk shall promptly supply all necessary
586 information and pay over all fees so received to the secretary of

587 the proper municipal executive committee. Such funds may be used
588 and disbursed in the same manner as is allowed in Section
589 23-15-299 in regard to other executive committees.

590 (4) Upon receipt of the above information, the proper
591 municipal executive committee shall then determine whether each
592 candidate is a qualified elector of the municipality, and of the
593 ward if the office sought is a ward office, shall determine
594 whether each candidate either meets all other qualifications to
595 hold the office he is seeking or presents absolute proof that he
596 will, subject to no contingencies, meet all qualifications on or
597 before the date of the general or special election at which he
598 could be elected to office. The committee also shall determine
599 whether any candidate has been convicted of any crime described in
600 Section 23-15-11, any felony in a court of this state, or has been
601 convicted on or after December 8, 1992, of any offense in another
602 state which is a felony under the laws of this state, or has been
603 convicted of any felony in a federal court on or after December 8,
604 1992. Excepted from the above are convictions of manslaughter and
605 violations of the United States Internal Revenue Code or any
606 violations of the tax laws of this state unless such offense also
607 involved misuse or abuse of his office or money coming into his
608 hands by virtue of his office. If the proper municipal executive
609 committee finds that a candidate either (a) does not meet all
610 qualifications to hold the office he seeks and fails to provide
611 absolute proof, subject to no contingencies, that he will meet the
612 qualifications on or before the date of the general or special
613 election at which he could be elected, * * * (b) has been
614 convicted of a felony as described in this subsection and not
615 pardoned, or (c) or has been convicted of any crime described in
616 Section 23-15-11, then the name of such candidate shall not be
617 placed upon the ballot.

618 (5) Where there is but one (1) candidate, the proper
619 municipal executive committee when the time has expired within

620 which the names of candidates shall be furnished shall declare
621 such candidate the nominee.

622 SECTION 8. The Attorney General of the State of Mississippi
623 shall submit this act, immediately upon approval by the Governor,
624 or upon approval by the Legislature subsequent to a veto, to the
625 Attorney General of the United States or to the United States
626 District Court for the District of Columbia in accordance with the
627 provisions of the Voting Rights Act of 1965, as amended and
628 extended.

629 SECTION 9. This act shall take effect and be in force from
630 and after the date it is effectuated under Section 5 of the Voting
631 Rights Act of 1965, as amended and extended.