

By: Senator(s) Nunnelee

To: Judiciary

SENATE BILL NO. 3003

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, 23-15-309 AND 23-15-689,
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 other than convictions of manslaughter
22 and violations of the United States Internal Revenue Code or any
23 violations of the tax laws of this or another state unless the
24 offense also involved misuse or abuse of his office or money
25 coming into his hands by virtue of his office, shall be a
26 qualified elector in and for the county, municipality and voting
27 precinct of his residence, and shall be entitled to vote at any
28 election. Any person who will be eighteen (18) years of age or

29 older on or before the date of the general election and who is
30 duly registered to vote not less than thirty (30) days prior to
31 the primary election associated with such general election, may
32 vote in such primary election even though such person has not
33 reached his or her eighteenth birthday at the time such person
34 offers to vote at such primary election. No others than those
35 above included shall be entitled, or shall be allowed, to vote at
36 any election.

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

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

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

54 23-15-39. (1) Applications for registration as electors of
55 this state, which are sworn to and subscribed before the registrar
56 or deputy registrar authorized by law and which are not made by
57 mail, shall be made upon a triplicate form in the following words
58 and figures:

59 "APPLICATION FOR REGISTRATION

60 (You may receive assistance in filling out this form from any
61 person of your choosing. It is not necessary that this form be

62 filled out in the presence of the registrar, however, the oath
63 must be executed in the presence of the registrar or his deputy.)

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

66 2. Please give your social security number. _____

67 3. What is your date of birth? _____

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

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

75 (a) Present address: _____

76 From _____ (month) to date.

77 (b) Previous address: _____

78 From _____ (month) to _____ (month).

79 (c) Previous address: _____

80 From _____ (month) to _____ (month).

81 (If you need additional space, use the backside of this
82 form.)

83 6. What is your present mailing address? _____

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

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

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

90 10. Have you ever been convicted of the crime of murder,
91 rape, bribery, theft, arson, obtaining money or goods under false
92 pretenses, perjury, forgery, embezzlement or bigamy or convicted
93 in any court of any felony other than convictions of manslaughter
94 and violations of the United States Internal Revenue Code or any

95 violations of the tax laws of this or another state unless the
96 offense also involved misuse or abuse of public office or money
97 coming into your hands by virtue of that office? _____

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

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

104 (b) Do you have a telephone at your present residence?
105 _____ If so, give the telephone number of such telephone.

106 _____ Please give your work telephone number. _____

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

110 STATE OF MISSISSIPPI

111 COUNTY OF _____

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

123 Applicant sign here: _____

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

126 _____ (Registrar)

127 By _____ (Deputy Registrar)"

128 (2) The boards of supervisors shall make proper allowances
129 for office supplies reasonably necessitated by the registration of
130 county electors.

131 (3) If the reply to Question 8 above is affirmative, the
132 county registrar shall forward notice of registration, a copy of
133 the application for registration, and any changes to such
134 registration when they occur, either by certified mail to the
135 clerk of the municipality indicated in the present residence
136 address stated in answer to Question 5(a) above or by personal
137 delivery to such clerk provided that a numbered receipt is signed
138 by such clerk in return for the described documents. Upon receipt
139 of the copy of the application for registration or changes to such
140 registration, and if a review of same indicates that the applicant
141 meets all the criteria necessary to qualify as a municipal
142 elector, then the clerk of said municipality shall make a
143 determination of the municipal voting precinct in which the person
144 making the application shall be required to vote. The clerk shall
145 send this municipal voting precinct information by United States
146 first-class mail, postage prepaid, to such person at the address
147 provided on the application. Any and all mailing costs incurred
148 by the county registrar or the clerk of the municipality in
149 effectuating this subsection shall be paid by the governing
150 authority of such municipality. If a review of the copy of the
151 application for registration or changes to such registration
152 indicates that the applicant is not qualified to vote in said
153 municipality, the clerk of said municipality shall challenge such
154 application. The municipal election commissioners responsible for
155 said municipality shall review any such challenge or
156 disqualification after having notified the applicant by certified
157 mail of such challenge or disqualification.

158 (4) If the reply to Question 9 above is affirmative, the
159 registrar or clerk shall on a monthly basis send notice of this
160 new registration to the registrar or clerk of the county stated in

161 Question 9 as the voter's previous place of registration. The
162 election commission of the voter's previous place of registration
163 shall be responsible for having such voter's name erased from the
164 appropriate registration book and pollbook.

165 (5) The registrar shall issue to the person making the
166 application a copy of such application upon which has been written
167 the county voting precinct in which said person shall vote. The
168 registrar shall assign a voter registration number to such person,
169 which shall be that person's social security number if such a
170 number is provided, and said voter registration number shall be
171 clearly shown on the application.

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

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

192 (8) In any case in which a municipality expands its
193 corporate boundaries by annexation, the municipal clerk shall,

194 within ten (10) days after the effective date of such annexation,
195 forward to the county registrar a map which accurately depicts the
196 annexed area. The county registrar shall, within ten (10) days
197 after the receipt of such map, forward to the municipal clerk a
198 copy of the most recent county precinct or subprecinct pollbook
199 for the county precincts in which such annexed area is included,
200 or equivalent computer data or information as will permit the
201 identification of county electors who reside in the annexed area.
202 The municipal clerk shall add those county electors who have
203 resided in the annexed area for at least thirty (30) days after
204 annexation to the municipal registration books as registered
205 voters of the municipality and shall forward to such persons
206 written notification of such addition and of the municipal
207 precinct or ward in which such persons reside.

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

210 23-15-47. (1) Any person who is qualified to register to
211 vote in the State of Mississippi may register to vote by mail-in
212 application in the manner prescribed in this section.

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

215 (a) Any qualified elector may register to vote by
216 mailing or delivering a completed mail-in application to his
217 county registrar at least thirty (30) days prior to any election.
218 The postmark date of a mailed application shall be the date of
219 registration. The application shall be witnessed by one (1)
220 qualified elector in the county of the applicant's residence. The
221 name, address and, if available, the daytime telephone number of
222 the person witnessing the application must be legibly written or
223 printed on the application. The witness shall not be a candidate
224 for public office as of the date of the execution of the
225 application. Any applicant or witness is subject to the penalties
226 provided in Section 23-15-17 for false registration. Any person

227 who willfully swears falsely to any material matter on a mail-in
228 application is guilty of perjury and, upon conviction thereof,
229 shall be punished as provided in Section 97-9-61.

230 (b) Upon receipt of a mail-in application, the county
231 registrar shall stamp such application with the date of receipt,
232 and shall verify the application by contacting the applicant by
233 telephone, by personal contact with the applicant, or by any other
234 method approved by the Secretary of State. Within twenty-five
235 (25) days of receipt of a mail-in application, the county
236 registrar shall complete action on the application, including any
237 attempts to notify the applicant of the status of his application.

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

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

257 (i) An incomplete portion of the application which
258 makes it impossible for the registrar to determine the eligibility
259 of the applicant to register;

260 (ii) A portion of the application which is
261 illegible in the opinion of the county registrar and makes it
262 impossible to determine the eligibility of the applicant to
263 register;

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

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

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

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

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

291 (f) If a mail-in application is subject to rejection
292 for the reason stated in paragraph (d)(v) of this subsection and

293 the "present home address" portion of the application is different
294 from the residence address for the applicant found in the
295 registration book, the mail-in application shall be deemed a
296 written request to transfer registration pursuant to Section
297 23-15-13. Subject to the time limits and other provisions of
298 Section 23-15-13, the registrar or the election commissioners
299 shall note the new residence address on his records and, if
300 necessary, transfer the applicant to his new precinct, advise the
301 applicant of his new precinct, polling place and supervisor
302 district, and notify the municipal clerk of any such changes on a
303 monthly basis.

304 (3) The instructions and the application form for voter
305 registration by mail shall be in the following form and shall
306 contain the following information:

307 **"INSTRUCTIONS FOR MAIL-IN VOTER REGISTRATION**

308 1. Anyone may assist you in completing the enclosed
309 application.

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

313 3. All required information must be supplied in legible
314 form.

315 4. The completed application must be mailed or delivered to
316 the registrar of your county at least thirty (30) days before an
317 election in order for you to be registered for that election.
318 Applications which are mailed must be postmarked thirty (30) days
319 prior to any election.

320 5. The penalty for conviction of false registration is a
321 felony punishable by a fine of not more than Five Thousand Dollars
322 (\$5,000.00) or imprisonment for not more than five (5) years, or
323 both."

324 **"APPLICATION FOR VOTER REGISTRATION BY MAIL**

325 **STATE OF MISSISSIPPI**

326 I, _____, hereby apply for registration as a
327 voter of _____ County, Mississippi.

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

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

330 2. Male ___ Female ___

331 3. Please give your Social Security Number: _____

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

333 5. Present Home Address:

334 (a) _____ (Street and Number)

335 _____ (City, State, Zip)

336 (b) How long have you lived there?

337 From _____ (month/year) to present.

338 (c) Do you now live in a city or town of this

339 county? _____ If so, which? _____

340 (d) Telephone number, if available:

341 (i) Home telephone number _____

342 (ii) Daytime or work telephone number _____

343 6. Mailing Address: Give your current mailing address if
344 different from your present home address:

345 _____ (Box or Street and Number)

346 _____ (City, State, Zip)

347 7. Previous Address: List your most recent address before
348 your present address:

349 _____ (Box or Street and Number)

350 _____ (City, State, Zip)

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

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

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

355 _____ (City, County, State)

356 9. Citizenship, Residence, Prior Convictions:

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

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

359 (c) Have you ever been convicted of the crime of murder,
360 rape, bribery, theft, arson, obtaining money or goods under false
361 pretenses, perjury, forgery, embezzlement, or bigamy, or convicted
362 in any court of any felony? ___ If so, what State_____,
363 County_____? Date of conviction_____.

364 10. Will you need assistance on election day?_____. If
365 yes, for which of the following reasons: permanently physically
366 disabled_____; other (please
367 describe)_____

368 _____.

369 11. Applicant Signature and Certification:

370 I certify that I am at least eighteen (18) years old (or I
371 will be before the next general election), that the above
372 information given by me is true and correct and that I have truly
373 answered all questions in the foregoing application for
374 registration, and that I will faithfully support the Constitution
375 of the United States and of the State of Mississippi, and will
376 bear true faith and allegiance to the same.

377 Applicant sign here: _____

378 Date: _____

379 12. Witness Signature and Certification:

380 I certify that I am a registered voter in _____
381 County, Mississippi, that I am not now a candidate for public
382 office, and that the above named applicant signed this application
383 for registration in my presence. I further certify that I have
384 read the above application, and that the facts stated therein are
385 true and correct to the best of my knowledge. I personally know
386 the person who appeared before me or I have seen the person's
387 identification. I understand that the penalty for knowingly
388 procuring a person's registration who is not entitled to be
389 registered, or is registered under a false name or in any other
390 voting precinct than that in which he resides, is a fine of not

391 more than Five Thousand Dollars (\$5,000.00) or imprisonment for
392 not more than five (5) years, or both.

393 Witness sign here: _____

394 Full name and address of witness (Print):

395 Name: _____

396 Address: _____ (Street and Number)

397 _____ (City, State, Zip)

398 Telephone number, if available:

399 Home telephone number _____

400 Daytime or work telephone number _____"

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

406 (b) The Secretary of State shall distribute without
407 charge sufficient forms for application for voter registration by
408 mail to the Commissioner of Public Safety, who shall distribute
409 such forms to each driver's license examining and renewal station
410 in the state, and shall ensure that the forms are regularly
411 available to the public at such stations.

412 (c) Bulk quantities of forms for application for voter
413 registration by mail shall be furnished by the Secretary of State
414 to any person or organization. The Secretary of State shall
415 charge a person or organization the actual cost he incurs in
416 providing bulk quantities of forms for application for voter
417 registration to such person or organization.

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

422 (6) If the reply to question 5(c) above is affirmative, the
423 county registrar shall forward notice of registration, a duplicate

424 copy of the application for registration, and any changes to such
425 registration when they occur, either by certified mail to the
426 clerk of the municipality indicated in the present residence
427 address stated in answer to Question 5(c) above or by personal
428 delivery to such clerk, provided that a numbered receipt is signed
429 by such clerk in return for the described documents. Upon receipt
430 of the copy of the application for registration or changes to such
431 registration, and if a review of same indicates that the applicant
432 meets all the criteria necessary to qualify as a municipal
433 elector, then the clerk of said municipality shall register the
434 applicant as a municipal elector and make a determination of the
435 municipal voting precinct in which the person making the
436 application shall be required to vote. The clerk shall send this
437 municipal voting precinct information by United States first-class
438 mail, postage prepaid, to such person at the address provided on
439 the application. Any and all mailing costs incurred by the county
440 registrar or the clerk of the municipality in effectuating this
441 subsection shall be paid by the governing authority of such
442 municipality. If a review of the copy of the application for
443 registration or changes to such registration indicates that the
444 applicant is not qualified to vote in said municipality, the clerk
445 of said municipality shall deny such application and notify
446 applicant.

447 (7) If the reply to Question 8 above is affirmative, the
448 registrar or clerk shall send written notice of this new
449 registration by regular United States mail to the registrar or
450 clerk of the county stated in Question 8 as the voter's previous
451 place of registration. The information shall include the complete
452 name, address and age of the voter and shall include the social
453 security number of such voter if it has been previously supplied.
454 The election commission of the voter's previous place of
455 registration shall be responsible for having such voter's name
456 erased from the appropriate registration book and pollbook.

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

459 23-15-151. The circuit clerk of each county is authorized
460 and directed to prepare and keep in his office a full and complete
461 list, in alphabetical order, of persons convicted of any crime
462 described in Section 23-15-11. Said clerk shall enter the names
463 of all persons who have been or shall be hereafter convicted of
464 any crime described in Section 23-15-11 in a book prepared and
465 kept for that purpose. The board of supervisors of each county
466 shall, as early as practicable, furnish the circuit clerk of their
467 county with a suitable book for the enrollment of said names
468 showing the name, date of birth, address, court, crime and date of
469 conviction. Said roll, when so prepared, shall be compared with
470 the registration book before each election commissioner of the
471 county. A certified copy of any enrollment by one clerk to another
472 will be sufficient authority for the enrollment of such name, or
473 names, in another county.

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

476 23-15-299. (1) Assessments made pursuant to paragraphs (a),
477 (b) and (c) of Section 23-15-297 and assessments made pursuant to
478 paragraph (d) of Section 23-15-297 for legislative offices shall
479 be paid by each candidate to the Secretary of the State Executive
480 Committee with which the candidate is affiliated by 5:00 p.m. on
481 March 1 of the year in which the primary election for the office
482 is held or on the date of the qualifying deadline provided by
483 statute for the office, whichever is earlier.

484 (2) Assessments made pursuant to paragraphs (d) and (e) of
485 Section 23-15-297, other than assessments made for legislative
486 offices, shall be paid by each candidate to the circuit clerk of
487 such candidate's county of residence by 5:00 p.m. on March 1 of
488 the year in which the primary election for the office is held or
489 on the date of the qualifying deadline provided by statute for the

490 office, whichever is earlier; provided, however, that no such
491 assessments may be paid before January 1 of the year in which the
492 election for the office is held. The circuit clerk shall forward
493 the fee and all necessary information to the secretary of the
494 proper county executive committee within two (2) business days.

495 (3) Assessments made pursuant to paragraphs (f) and (g) of
496 Section 23-15-297 must be paid by each candidate to the Secretary
497 of the State Executive Committee with which the candidate is
498 affiliated by 5:00 p.m. sixty (60) days before the presidential
499 preference primary in years in which a presidential preference
500 primary is held. Assessments made pursuant to paragraphs (f) and
501 (g) of Section 23-15-297, in years when a presidential preference
502 primary is not being held, shall be paid by each candidate to the
503 Secretary of the State Executive Committee with which the
504 candidate is affiliated by 5:00 p.m. on March 1 of the year in
505 which the primary election for the office is held.

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

511 (b) The State Executive Committee shall transmit to the
512 Secretary of State a copy of the written statements accompanying
513 the fees paid pursuant to subsections (1) and (2) of this section.
514 All copies must be received by the Office of the Secretary of
515 State by not later than 6:00 p.m. on the date of the qualifying
516 deadline; provided, however, the failure of the Office of the
517 Secretary of State to receive such copies by 6:00 p.m. on the date
518 of the qualifying deadline shall not affect the qualification of a
519 person who pays the required fee and files the required statement
520 by 5:00 p.m. on the date of the qualifying deadline. The name of
521 any person who pays the required fee and files the required

522 statement after 5:00 p.m. on the date of the qualifying deadline
523 shall not be placed on the primary election ballot.

524 (5) The secretary or circuit clerk to whom such payments are
525 made shall promptly receipt for same stating the office for which
526 such candidate making payment is running and the political party
527 with which he or she is affiliated, and he or she shall keep an
528 itemized account in detail showing the exact time and date of the
529 receipt of each payment received by him or her and, where
530 applicable, the date of the postmark on the envelope containing
531 the fee and from whom, and for what office the party paying same
532 is a candidate.

533 (6) The secretaries of the proper executive committee shall
534 hold said funds to be finally disposed of by order of their
535 respective executive committees. Such funds may be used or
536 disbursed by the executive committee receiving same to pay all
537 necessary traveling or other necessary expenses of the members of
538 the executive committee incurred in discharging their duties as
539 committeemen, and of their secretary and may pay the secretary
540 such salary as may be reasonable.

541 (7) Upon receipt of the proper fee and all necessary
542 information, the proper executive committee shall then determine
543 whether each candidate is a qualified elector of the state, state
544 district, county or county district which they seek to serve, and
545 whether each candidate meets all other qualifications to hold the
546 office he is seeking or presents absolute proof that he will,
547 subject to no contingencies, meet all qualifications on or before
548 the date of the general or special election at which he could be
549 elected to office. The committee also shall determine whether any
550 candidate has been convicted of any * * * crime described in
551 Section 23-15-11. If the proper executive committee finds that a
552 candidate either (a) is not a qualified elector, (b) does not meet
553 all qualifications to hold the office he seeks and fails to
554 provide absolute proof, subject to no contingencies, that he will

555 meet the qualifications on or before the date of the general or
556 special election at which he could be elected, or (c) has been
557 convicted of a crime as described in this subsection, and not
558 pardoned, then the name of such candidate shall not be placed upon
559 the ballot.

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

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

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

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

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

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

588 the proper municipal executive committee. Such funds may be used
589 and disbursed in the same manner as is allowed in Section
590 23-15-299 in regard to other executive committees.

591 (4) Upon receipt of the above information, the proper
592 municipal executive committee shall then determine whether each
593 candidate is a qualified elector of the municipality, and of the
594 ward if the office sought is a ward office, shall determine
595 whether each candidate either meets all other qualifications to
596 hold the office he is seeking or presents absolute proof that he
597 will, subject to no contingencies, meet all qualifications on or
598 before the date of the general or special election at which he
599 could be elected to office. The committee also shall determine
600 whether any candidate has been convicted of any * * * crime
601 described in Section 23-15-11. If the proper municipal executive
602 committee finds that a candidate either (a) does not meet all
603 qualifications to hold the office he seeks and fails to provide
604 absolute proof, subject to no contingencies, that he will meet the
605 qualifications on or before the date of the general or special
606 election at which he could be elected, or (b) has been convicted
607 of a crime as described in this subsection and not pardoned, then
608 the name of such candidate shall not be placed upon the ballot.

609 (5) Where there is but one (1) candidate, the proper
610 municipal executive committee when the time has expired within
611 which the names of candidates shall be furnished shall declare
612 such candidate the nominee.

613 SECTION 8. Section 23-15-689, Mississippi Code of 1972, is
614 amended as follows:

615 23-15-689. The registrar, on application requesting
616 registration by an absent voter, as defined in this subarticle,
617 shall forward immediately the proper registration blank to the
618 absent voter so that such absent voter may register as a voter and
619 vote in any elections held in the voting precinct in which such
620 absent voter would be entitled to vote if otherwise qualified.

621 Such person shall subscribe an affidavit to be administered by any
622 officer of the armed forces, Merchant Marine, or constituted
623 authority or officer authorized to administer an oath. Said
624 officers may administer the oath hereinbelow prescribed and
625 certify to it. Said officer or registrant shall mail said
626 registration immediately to the registrar of the county set out in
627 said registration in order that the registrant may be registered
628 thirty (30) days before any general election or special election
629 at which he may offer to vote. Said registrant shall be
630 considered as registered from and after the date of the affidavit.
631 The oath to be taken by the said person shall be as follows:

632 "I, _____, do solemnly swear (or affirm) that I am
633 at least eighteen (18) years old (or will be before the next
634 election in this county), and that I am now in good faith a
635 resident of the State of Mississippi and in _____
636 Election Precinct of _____ County, and that I am not
637 disqualified from voting by reason of having been convicted of any
638 crime of murder, rape, bribery, theft, arson, obtaining money or
639 goods under false pretenses, perjury, forgery, embezzlement or
640 bigamy, or of any felony other than manslaughter and violations of
641 the United States Internal Revenue Code or any violations of the
642 tax laws of this or another state; that I will truly answer all
643 questions propounded to me concerning my antecedents so far as
644 they relate to my right to vote, and also as to my residence prior
645 to my citizenship in this precinct; that I will faithfully support
646 the Constitution of the United States and of the State of
647 Mississippi, and will bear true faith and allegiance to the same.
648 So help me God. SIGNED _____

649 "SWORN TO AND SUBSCRIBED before me, _____, on
650 the _____ day of _____, A.D., 20_____.
651 _____ (Official title, civilian or military
652 officer)"

653 Upon receipt of the foregoing registration filled out and
654 sworn to in the proper form, the registrar of the county shall
655 place the applicant's name on the registration books, if the
656 statements are found to be true, noting on the back of the
657 affidavit that it is an absentee registration. The registrar
658 shall file the application as a matter of record in his office.
659 The registrar of the county shall certify to the registrar of
660 municipal registration names of applicants who have qualified
661 under this section, and the municipal registrar shall duly
662 register all names so certified upon the registration books of the
663 municipality.

664 SECTION 9. The Attorney General of the State of Mississippi
665 shall submit this act, immediately upon approval by the Governor,
666 or upon approval by the Legislature subsequent to a veto, to the
667 Attorney General of the United States or to the United States
668 District Court for the District of Columbia in accordance with the
669 provisions of the Voting Rights Act of 1965, as amended and
670 extended.

671 SECTION 10. This act shall take effect and be in force from
672 and after the date it is effectuated under Section 5 of the Voting
673 Rights Act of 1965, as amended and extended.