HOUSE CONCURRENT RESOLUTION NO. 36

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 241, MISSISSIPPI CONSTITUTION OF 1890, TO DELETE THE ENUMERATION OF SPECIFIC FELONIES, CONVICTION OF WHICH WILL PRECLUDE A PERSON FROM BEING DECLARED A QUALIFIED ELECTOR; TO PROVIDE THAT CONVICTION IN A COURT OF THIS STATE OR ANY OTHER STATE OR IN ANY FEDERAL COURT OF ANY FELONY WILL PRECLUDE A PERSON FROM BEING DECLARED A QUALIFIED ELECTOR; TO REVISE CERTAIN LANGUAGE THAT REFERS TO PERSONS WITH MENTAL ILLNESS WHO ARE NOT QUALIFIED TO VOTE; AND FOR RELATED PURPOSES.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI, That the following amendment to the Mississippi Constitution of 1890 is proposed to the qualified electors of the state:

Amend Section 241, Mississippi Constitution of 1890, to read as follows:

"Section 241. Except a person who is judicially declared as mentally ill or mentally incompetent and is involuntarily committed as an inpatient to a hospital, institution or facility for care or treatment of such condition or disorder, every inhabitant of this state,*** who is a citizen of the United States of America, eighteen (18) years old and upward, who has been a resident of this state for one (1) year, and for one (1) year in the county in which he offers to vote, and for six (6) months in the election precinct or in the incorporated city or town in which he offers to vote, and who is duly registered as provided in this article, and who has never been convicted in a court of this state or any other state or in any federal court of any offense which is a felony under the laws of the jurisdiction in which the conviction occurred, is declared to be a qualified elector, except that he shall be qualified to vote for President
and Vice President of the United States if he meets the
requirements established by Congress therefor and is otherwise a
qualified elector. No person, after the ratification of this
amendment, shall be disqualified as an elector by reason of
conviction before the ratification of this amendment of any
offense unless conviction of the offense would disqualify such
person as an elector under the provisions of this Constitution in
effect immediately before the ratification of this amendment."

BE IT FURTHER RESOLVED, That this proposed amendment shall be
submitted by the Secretary of State to the qualified electors at
an election to be held on the first Tuesday after the first Monday
of November 2002, as provided by Section 273 of the Constitution
and by general law.

BE IT FURTHER RESOLVED, That the explanation of this proposed
amendment for the ballot shall read as follows: "This proposed
constitutional amendment removes from the Constitution a list of
specific felonies, conviction of any of which disqualifies a
person as an elector. The amendment provides that conviction in
this state, another state or any federal court of any felony
disqualifies a person as an elector. The amendment also revises
certain language that refers to persons with mental illness who
are not qualified to vote."

BE IT FURTHER RESOLVED, That the Attorney General of the
State of Mississippi shall submit this resolution, immediately
upon adoption by the Legislature of the State of Mississippi, to
the Attorney General of the United States or to the United States
District Court for the District of Columbia in accordance with the
provisions of the Voting Rights Act of 1965, as amended and
extended.