

By: Senator(s) Bryan

To: Elections;
Appropriations

SENATE BILL NO. 2366
(As Sent to Governor)

1 AN ACT TO ESTABLISH THE STATEWIDE CENTRALIZED VOTER SYSTEM TO
2 ASSIST COMMISSIONERS OF ELECTION IN MAINTAINING ACCURATE VOTER
3 ROLLS; TO PROVIDE THAT THE SECRETARY OF STATE SHALL DEVELOP,
4 IMPLEMENT AND ADMINISTER THE SYSTEM; TO PROVIDE THAT THE SECRETARY
5 OF STATE SHALL PROCURE SERVICES NECESSARY TO CONVERT THE CURRENT
6 VOTER REGISTRATION RECORDS OF THE COUNTY INTO A STANDARD, INDUSTRY
7 ACCEPTED FILE FORMAT THAT CAN BE USED ON THE STATEWIDE CENTRALIZED
8 VOTER SYSTEM; TO AUTHORIZE THE SECRETARY OF STATE TO ESTABLISH AN
9 ADVISORY COMMITTEE TO ASSIST IN DEVELOPING SYSTEM SPECIFICATIONS,
10 PROCUREMENT, IMPLEMENTATION AND MAINTENANCE OF THE SYSTEM; TO
11 EXEMPT CERTAIN INFORMATION IN THE SYSTEM FROM THE MISSISSIPPI
12 PUBLIC RECORDS ACT OF 1983; TO REPEAL SECTIONS 23-15-139 AND
13 23-15-140, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR A STATEWIDE
14 VOTER REGISTRATION RECORD; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** The purposes of this act are:

17 (a) To establish a centralized statewide qualified
18 voter file that consists of all qualified electors who are
19 registered to vote;

20 (b) To enhance the uniformity of the administration of
21 elections by creating and maintaining a centralized statewide file
22 of qualified voters;

23 (c) To increase the efficiency and decrease the cost of
24 maintaining voter registration records and implementing the
25 National Voter Registration Act of 1993;

26 (d) To increase the integrity of the voting process by
27 compiling a single centralized qualified voter file from county
28 voter roll data that will permit the name of each citizen of this
29 state to appear only once;

30 (e) To apply technology and information gathered by
31 principal executive departments of state government, state
32 agencies and local voter registrars in a manner that ensures that
33 accurate and current records of qualified voters are maintained



34 and to secure cooperation among all state and county entities to
35 develop systems and processes that are interfaced with the
36 Centralized Statewide Voter System; and

37 (f) To enable the state to receive federal funds which
38 may be available to carry out provisions of this act.

39 **SECTION 2.** (1) From and after July 1, 2002, the Office of
40 the Secretary of State, in cooperation with the local registrars
41 and election commissioners, shall begin to procure, implement and
42 maintain an electronic information processing system and programs
43 capable of maintaining a centralized database of all registered
44 voters in the state. The system shall encompass software and
45 hardware, at both the state and county level, software development
46 training, conversion and support and maintenance for the system.
47 This system shall be known as the "Statewide Centralized Voter
48 System" and shall constitute the official record of registered
49 voters in every county of the state.

50 (2) The Office of the Secretary of State shall develop and
51 implement the Statewide Centralized Voter System so that the
52 registrar and election commissioners of each county shall:

53 (a) Verify that an applicant that is registering to
54 vote in such county is not registered to vote in another county;

55 (b) Be notified automatically that a registered voter
56 in its county has registered to vote in another county;

57 (c) Receive regular reports of death, changes of
58 address and convictions for disenfranchising crimes that apply to
59 voters registered in the county; and

60 (d) Retain all present functionality related to, but
61 not limited to, the use of voter roll data and to implement such
62 other functionality as the law requires to enhance the maintenance
63 of accurate county voter records and related jury selection and
64 redistricting programs.

65 (3) As a part of the procurement and implementation of the
66 system, the Office of the Secretary of State shall, with the



67 assistance of the advisory committee, procure services necessary
68 to convert current voter registration records in the counties into
69 a standard, industry accepted file format that can be used on the
70 Statewide Centralized Voter System. Thereafter, all official
71 voter information shall be maintained on the Statewide Centralized
72 Voter System. The standard industry accepted format of data shall
73 be reviewed and approved by a majority of the advisory committee
74 created in subsection (5) of this section after consultation with
75 the Circuit Clerks Association and the format may not be changed
76 without majority approval of the advisory committee and without
77 consulting the Circuit Clerks Association.

78 (4) The Secretary of State may, with the assistance of the
79 advisory committee, adopt rules and regulations necessary to
80 administer the Statewide Centralized Voter System. Such rules and
81 regulations shall at least:

82 (a) Provide for the establishment and maintenance of a
83 centralized database for all voter registration information in the
84 state;

85 (b) Provide procedures for integrating data into the
86 centralized database;

87 (c) Provide security to insure that only the registrar,
88 or his designee or other appropriate official, as the law may
89 require, can add information to, delete information from and
90 modify information in the system;

91 (d) Provide the registrar or his designee or other
92 appropriate official, as the law may require, access to the system
93 at all times, including the ability to download copies of the
94 industry standard file, for all purposes related to their official
95 duties, including, but not limited to, exclusive access for the
96 purpose of printing of all local pollbooks;

97 (e) Provide security and protection of all information
98 in the system and monitor the system to ensure that unauthorized
99 access is not allowed;



100 (f) Provide a procedure that will allow the registrar,
101 or his designee or other appropriate official, as the law may
102 require, to identify the precinct and subprecinct to which a voter
103 should be assigned; and

104 (g) Provide a procedure for phasing in or converting
105 existing manual and computerized voter registration systems in
106 counties to the Statewide Centralized Voter System.

107 (5) The Secretary of State shall establish an advisory
108 committee to assist in developing system specifications,
109 procurement, implementation and maintenance of the Statewide
110 Centralized Voter System. The committee shall include two (2)
111 representatives from the Circuit Clerks Association, appointed by
112 the association; two (2) representatives from the Election
113 Commissioners Association of Mississippi, appointed by the
114 association; one (1) member of the Mississippi Association of
115 Supervisors, or its staff, appointed by the association; the
116 Director of the Stennis Institute of Government at Mississippi
117 State University, or his designee; the Executive Director of the
118 Department of Information Technology Services, or his designee;
119 two (2) persons knowledgeable about elections and information
120 technology appointed by the Secretary of State; and the Secretary
121 of State, who shall serve as the chairman of the advisory
122 committee.

123 (6) (a) Social security numbers, telephone numbers and date
124 of birth and age information in statewide, district, county and
125 municipal voter registration files shall be exempt from and shall
126 not be subject to inspection, examination, copying or reproduction
127 under the Mississippi Public Records Act of 1983.

128 (b) Copies of statewide, district, county or municipal
129 voter registration files, excluding social security numbers,
130 telephone numbers and date of birth and age information, shall be
131 provided to any person in accordance with the Mississippi Public



132 Records Act of 1983 at a cost not to exceed the actual cost of
133 production.

134 **SECTION 3.** No state funds shall be used for the purchase of
135 computer hardware or software needed to carry out the provisions
136 of this act unless state funds are made available through
137 legislative appropriation. County funds shall not be required to
138 be expended because of this act.

139 **SECTION 4.** Sections 23-15-139 and 23-15-140, Mississippi
140 Code of 1972, which provide for a statewide voter registration
141 record, are hereby repealed.

142 **SECTION 5.** The Attorney General of the State of Mississippi
143 shall submit this act, immediately upon approval by the Governor,
144 or upon approval by the Legislature subsequent to a veto, to the
145 Attorney General of the United States or to the United States
146 District Court for the District of Columbia in accordance with the
147 provisions of the Voting Rights Act of 1965, as amended and
148 extended.

149 **SECTION 6.** This act shall take effect and be in force from
150 and after the date it is effectuated under Section 5 of the Voting
151 Rights Act of 1965, as amended and extended.

