To: Constitution

MISSISSIPPI LEGISLATURE REGULAR SESSION 2003
By: Representative Denny

HOUSE CONCURRENT RESOLUTION NO. 33

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 OF ANY OTHER STATE OR IN ANY FEDERAL COURT OF ANY FELONY EXCEPT A VIOLATION OF THE TAX LAWS WILL PRECLUDE A PERSON FROM BEING DECLARED A QUALIFIED ELECTOR; 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. (1) Every inhabitant of this state, except idiots and insane persons, 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.”
(2) This section does not disqualify a person as an elector if:

(a) The person has been pardoned for the offense;

(b) The offense of which the person was convicted was any violation of the United States Internal Revenue Code or any violation of the tax laws of this state; or

(c) The person was convicted before ratification of this amendment of an offense that did not disqualify a 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 2003, 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 except a violation of the tax laws disqualifies a person as an elector."

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.