

By: Representative Ketchings

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 48

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 241, MISSISSIPPI CONSTITUTION OF 1890, TO DELETE THE ENUMERATION
3 OF SPECIFIC FELONIES, CONVICTION OF WHICH WILL PRECLUDE A PERSON
4 FROM BEING DECLARED A QUALIFIED ELECTOR; TO PROVIDE THAT A PERSON
5 WHO HAS BEEN CONVICTED IN A COURT OF THIS STATE OR ANY OTHER STATE
6 OR IN ANY FEDERAL COURT OF ANY FELONY OR WHO HAS SERVED A TERM OF
7 IMPRISONMENT FOR CONVICTION OF AN OFFENSE UNDER THE LAWS OF THIS
8 STATE, ANOTHER STATE OR THE UNITED STATES PRECLUDES THAT PERSON
9 FROM BEING DECLARED A QUALIFIED ELECTOR; AND FOR RELATED PURPOSES.

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

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

16 "Section 241. (1) Every inhabitant of this state, except
17 idiots and insane persons, who is a citizen of the United States
18 of America, eighteen (18) years old and upward, who has been a
19 resident of this state for one (1) year, and for one (1) year in
20 the county in which he offers to vote, and for six (6) months in
21 the election precinct or in the incorporated city or town in which
22 he offers to vote, and who is duly registered as provided in this
23 article, and who has never been convicted in a court of this state
24 or any other state or in any federal court of any offense which is
25 a felony under the laws of the jurisdiction in which the
26 conviction occurred, and who has never served a term of
27 imprisonment for conviction of any offense under the laws of this
28 state, another state or the United States, is declared to be a
29 qualified elector, except that he shall be qualified to vote for
30 President and Vice President of the United States if he meets the



31 requirements established by Congress therefor and is otherwise a
32 qualified elector.

33 (2) This section does not disqualify a person as an elector
34 if the person was convicted or served a term of imprisonment
35 before ratification of this amendment for an offense, the
36 commission of which did not disqualify a person as an elector
37 under the provisions of this Constitution in effect immediately
38 before the ratification of this amendment."

39 BE IT FURTHER RESOLVED, That this proposed amendment shall be
40 submitted by the Secretary of State to the qualified electors at
41 an election to be held on the first Tuesday after the first Monday
42 of November 2003, as provided by Section 273 of the Constitution
43 and by general law.

44 BE IT FURTHER RESOLVED, That the explanation of this proposed
45 amendment for the ballot shall read as follows: "This proposed
46 constitutional amendment removes from the Constitution a list of
47 specific felonies, conviction of any of which disqualifies a
48 person to vote. The amendment provides that a person who has been
49 convicted in this state, another state or any federal court of any
50 felony or who has served a term of imprisonment for any offense is
51 disqualified to vote."

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

