

By: Representative Ketchings

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 50

1 A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTION 241
2 AND SECTION 253, MISSISSIPPI CONSTITUTION OF 1890, TO DELETE THE
3 ENUMERATION OF SPECIFIC FELONIES, CONVICTION OF WHICH WILL
4 PRECLUDE A PERSON FROM BEING DECLARED A QUALIFIED ELECTOR; TO
5 PROVIDE THAT A PERSON WHO HAS BEEN CONVICTED IN A COURT OF THIS
6 STATE OR ANY OTHER STATE OR IN ANY FEDERAL COURT OF ANY FELONY OR
7 WHO HAS SERVED A TERM OF IMPRISONMENT FOR CONVICTION OF AN OFFENSE
8 UNDER THE LAWS OF THIS STATE, ANOTHER STATE OR THE UNITED STATES
9 PRECLUDES THAT PERSON FROM BEING DECLARED A QUALIFIED ELECTOR; TO
10 PROVIDE THAT THE RIGHT OF SUFFRAGE OF ANY PERSON WHO HAS BECOME
11 DISQUALIFIED AS AN ELECTOR BY REASON OF CONVICTION OF AN OFFENSE
12 OR IMPRISONMENT SHALL BE RESTORED, BY OPERATION OF LAW,
13 IMMEDIATELY UPON COMPLETION OF HIS SENTENCE AND ALL CONDITIONS
14 IMPOSED UPON HIM FOR SUCH CONVICTION; AND FOR RELATED PURPOSES.

15 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
16 MISSISSIPPI, That the following amendments to the Mississippi
17 Constitution of 1890 are proposed to the qualified electors of the
18 state:

19 I.

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

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



34 state, another state or the United States, is declared to be a
35 qualified elector, except that he shall be qualified to vote for
36 President and Vice President of the United States if he meets the
37 requirements established by Congress therefor and is otherwise a
38 qualified elector.

39 (2) This section does not disqualify a person as an elector
40 if the person was convicted or served a term of imprisonment
41 before ratification of this amendment for an offense, the
42 commission of which did not disqualify a person as an elector
43 under the provisions of this Constitution in effect immediately
44 before the ratification of this amendment."

45 II.

46 Amend Section 253, Mississippi Constitution of 1890, to read
47 as follows:

48 "Section 253. The right of suffrage of any person who has
49 become disqualified as an elector under Section 241 of this
50 Constitution by reason of conviction of an offense or imprisonment
51 shall be restored, by operation of law, immediately upon
52 completion of such person's term of imprisonment, probation,
53 parole and all other penalties and conditions imposed upon him for
54 conviction, including all restitution, if any, as ordered by the
55 sentencing court or judge, provided such person otherwise
56 qualifies as an elector."

57 BE IT FURTHER RESOLVED, That these proposed amendments shall
58 be submitted by the Secretary of State to the qualified electors
59 at an election to be held on the first Tuesday after the first
60 Monday of November 2003, as provided by Section 273 of the
61 Constitution and by general law, with the amendments in this
62 resolution being voted on as one (1) amendment since the proposed
63 amendments pertain to one (1) subject.

64 BE IT FURTHER RESOLVED, That the explanation of this proposed
65 amendment for the ballot shall read as follows: "This proposed
66 constitutional amendment provides that a person loses his right to



67 vote if he is convicted in this state, another state or any
68 federal court of any felony or of any other offense resulting in
69 imprisonment. The amendment also provides that such person's
70 right to vote is restored automatically upon completion of his
71 sentence and all penalties and conditions imposed upon him for the
72 conviction, including any restitution ordered by the court or
73 judge."

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

