

By: Senator(s) Nunnelee

To: Judiciary

SENATE BILL NO. 2045

1 AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972,  
2 TO PROHIBIT PERSONS WHO HAVE BEEN CONVICTED IN A COURT OF THIS  
3 STATE OR ANY OTHER STATE OR IN ANY FEDERAL COURT OF ANY FELONY  
4 FROM BEING A QUALIFIED ELECTOR; TO AMEND SECTIONS 23-15-19,  
5 23-15-39, 23-15-47, 23-15-151, 23-15-299 AND 23-15-309,  
6 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED  
7 PURPOSES.

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

9 **SECTION 1.** Section 23-15-11, Mississippi Code of 1972, is  
10 amended as follows:

11 23-15-11. Every inhabitant of this state, except idiots and  
12 insane persons, who is a citizen of the United States of America,  
13 eighteen (18) years old and upwards, who has resided in this state  
14 for thirty (30) days and for thirty (30) days in the county in  
15 which he offers to vote, and for thirty (30) days in the  
16 incorporated city or town in which he offers to vote, and who  
17 shall have been duly registered as an elector pursuant to Section  
18 23-15-33, and who has never been convicted of any crime listed in  
19 Section 241, Mississippi Constitution of 1890, and who has never  
20 been convicted in any court of this state, another state or in any  
21 federal court of any felony other than convictions of manslaughter  
22 and violations of the United States Internal Revenue Code or any  
23 violations of the tax laws of this or another state unless the  
24 offense also involved misuse or abuse of his office or money  
25 coming into his hands by virtue of his office, shall be a  
26 qualified elector in and for the county, municipality and voting  
27 precinct of his residence, and shall be entitled to vote at any  
28 election. Any person who will be eighteen (18) years of age or  
29 older on or before the date of the general election and who is



30 duly registered to vote not less than thirty (30) days prior to  
31 the primary election associated with such general election, may  
32 vote in such primary election even though such person has not  
33 reached his or her eighteenth birthday at the time such person  
34 offers to vote at such primary election. No others than those  
35 above included shall be entitled, or shall be allowed, to vote at  
36 any election.

37 **SECTION 2.** Section 23-15-19, Mississippi Code of 1972, is  
38 amended as follows:

39 23-15-19. Any person who has been convicted of any crime  
40 described in Section 23-15-11 shall not be registered, or if  
41 registered the name of such person shall be erased from the  
42 registration book on which it may be found by the registrar or by  
43 the election commissioners. Whenever any person shall be  
44 convicted in the circuit court of his county of any of said  
45 crimes, the registrar shall thereupon erase his name from the  
46 registration book; and whenever any person shall be convicted of  
47 any of said crimes in any other court of any county, the presiding  
48 judge thereof shall, on demand, certify the fact in writing to the  
49 registrar, who shall thereupon erase the name of such person from  
50 the registration book and file said certificate as a record of his  
51 office.

52 **SECTION 3.** Section 23-15-39, Mississippi Code of 1972, is  
53 amended as follows:

54 23-15-39. (1) Applications for registration as electors of  
55 this state, which are sworn to and subscribed before the registrar  
56 or deputy registrar authorized by law and which are not made by  
57 mail, shall be made upon a triplicate form in the following words  
58 and figures:

59 "APPLICATION FOR REGISTRATION

60 (You may receive assistance in filling out this form from any  
61 person of your choosing. It is not necessary that this form be



62 filled out in the presence of the registrar, however, the oath  
63 must be executed in the presence of the registrar or his deputy.)

64 1. What is your full name, including maiden name, if you  
65 have one? \_\_\_\_\_

66 2. Please give your social security number. \_\_\_\_\_

67 3. What is your date of birth? \_\_\_\_\_

68 4. Are you a citizen of the United States? \_\_\_\_\_

69 5. What is your present residence address and each place you  
70 have resided during the past year, stating when you lived at each  
71 place, and specifying the municipality or community, the street  
72 name and number and/or any other designation which accurately  
73 describes the geographic location of your present residence  
74 address?

75 (a) Present address: \_\_\_\_\_

76 From \_\_\_\_\_ (month) to date.

77 (b) Previous address: \_\_\_\_\_

78 From \_\_\_\_\_ (month) to \_\_\_\_\_ (month).

79 (c) Previous address: \_\_\_\_\_

80 From \_\_\_\_\_ (month) to \_\_\_\_\_ (month).

81 (If you need additional space, use the back side of this  
82 form.)

83 6. What is your present mailing address? \_\_\_\_\_

84 7. Are you now a resident of this state and county? \_\_\_\_\_

85 8. Do you now reside within the city limits of a city or  
86 town located within this county? \_\_\_\_\_

87 9. Have you ever registered to vote before in any other  
88 county or state? If so, give the last place or last two (2)  
89 places if registered more than once. \_\_\_\_\_

90 10. Have you ever been convicted of the crime of murder,  
91 rape, bribery, theft, arson, obtaining money or goods under false  
92 pretenses, perjury, forgery, embezzlement or bigamy or convicted  
93 in any court of any felony other than convictions of manslaughter  
94 and violations of the United States Internal Revenue Code or any



95 violations of the tax laws of this or another state unless the  
96 offense also involved misuse or abuse of public office or money  
97 coming into your hands by virtue of that office? \_\_\_\_\_

98 11. The following questions may be answered by you at your  
99 option and are solely for the purpose of aiding in registering you  
100 in the proper precinct:

101 (a) Are there any registered voters living at your  
102 present residence? \_\_\_\_\_ If so, give the name of each such  
103 person. \_\_\_\_\_

104 (b) Do you have a telephone at your present residence?  
105 \_\_\_\_\_ If so, give the telephone number of such telephone.

106 \_\_\_\_\_ Please give your work telephone number. \_\_\_\_\_

107 After you have answered 1 through 11 above, sign or make your  
108 mark on the following oath in the presence of the registrar or  
109 deputy registrar.

110 STATE OF MISSISSIPPI

111 COUNTY OF \_\_\_\_\_

112 I do solemnly swear (or affirm) that I am at least eighteen  
113 (18) years old (or I will be before the next general election in  
114 this county), and that I am now in good faith a resident of this  
115 state and of \_\_\_\_\_ Election Precinct in this county, and that I  
116 am not disqualified from voting by reason of having been convicted  
117 of any crime listed in Question 10 of the application; that I have  
118 truly answered all questions propounded to me in the foregoing  
119 application for registration, and that I will faithfully support  
120 the Constitutions of the United States and of the State of  
121 Mississippi, and will bear true faith and allegiance to the same.  
122 So help me God.

123 Applicant sign here: \_\_\_\_\_

124 SWORN TO AND SUBSCRIBED before me, this the \_\_\_\_\_ day of  
125 \_\_\_\_\_, 2\_\_\_\_.

126 \_\_\_\_\_ (Registrar)

127 By \_\_\_\_\_ (Deputy Registrar) "



128           (2) The boards of supervisors shall make proper allowances  
129 for office supplies reasonably necessitated by the registration of  
130 county electors.

131           (3) If the reply to Question 8 above is affirmative, the  
132 county registrar shall forward notice of registration, a copy of  
133 the application for registration, and any changes to such  
134 registration when they occur, either by certified mail to the  
135 clerk of the municipality indicated in the present residence  
136 address stated in answer to Question 5(a) above or by personal  
137 delivery to such clerk provided that a numbered receipt is signed  
138 by such clerk in return for the described documents. Upon receipt  
139 of the copy of the application for registration or changes to such  
140 registration, and if a review of same indicates that the applicant  
141 meets all the criteria necessary to qualify as a municipal  
142 elector, then the clerk of said municipality shall make a  
143 determination of the municipal voting precinct in which the person  
144 making the application shall be required to vote. The clerk shall  
145 send this municipal voting precinct information by United States  
146 first-class mail, postage prepaid, to such person at the address  
147 provided on the application. Any and all mailing costs incurred  
148 by the county registrar or the clerk of the municipality in  
149 effectuating this subsection shall be paid by the governing  
150 authority of such municipality. If a review of the copy of the  
151 application for registration or changes to such registration  
152 indicates that the applicant is not qualified to vote in said  
153 municipality, the clerk of said municipality shall challenge such  
154 application. The municipal election commissioners responsible for  
155 said municipality shall review any such challenge or  
156 disqualification after having notified the applicant by certified  
157 mail of such challenge or disqualification.

158           (4) If the reply to Question 9 above is affirmative, the  
159 registrar or clerk shall on a monthly basis send notice of this  
160 new registration to the registrar or clerk of the county stated in



161 Question 9 as the voter's previous place of registration. The  
162 election commission of the voter's previous place of registration  
163 shall be responsible for having such voter's name erased from the  
164 appropriate registration book and pollbook.

165 (5) The registrar shall issue to the person making the  
166 application a copy of such application upon which has been written  
167 the county voting precinct in which said person shall vote. The  
168 registrar shall assign a voter registration number to such person,  
169 which shall be that person's social security number if such a  
170 number is provided, and said voter registration number shall be  
171 clearly shown on the application.

172 (6) Any person desiring an application for registration may  
173 secure the same from the registrar of the county of which he is a  
174 resident and may take said form with him and secure assistance in  
175 completing said form from any person of the applicant's choice.  
176 It shall be the duty of all registrars to furnish forms for  
177 registering to all persons requesting the same, and it shall  
178 likewise be his duty to furnish aid and assistance in the  
179 completing of said forms when requested by an applicant. The  
180 application for registration shall be sworn to and subscribed  
181 before the registrar or deputy registrar at the municipal clerk's  
182 office, the county registrar's office or any other location where  
183 the applicant is allowed to register to vote. No fee or cost  
184 shall be charged the applicant by the registrar for accepting the  
185 application or administering the oath or for any other duty  
186 imposed by law regarding the registration of electors.

187 (7) If the person making the application is unable to read  
188 or write, for reason of disability or otherwise, he shall not be  
189 required to personally complete the application in writing and  
190 execute the oath. In such cases, the registrar or deputy  
191 registrar shall read to such person the application and oath and  
192 such person's answers thereto shall be recorded by the registrar  
193 or his deputy. The person shall be registered as an elector if he



194 otherwise meets the requirements to be registered as such. The  
195 registrar shall record the responses of such person and such  
196 recorded responses shall be retained permanently by the registrar.  
197 The registrar shall forward a copy of all such recorded responses  
198 to the Secretary of State and shall indicate which were approved  
199 for registration.

200 (8) The receipt of a copy of the application for  
201 registration sent pursuant to Section 23-15-35(2) shall be  
202 sufficient to allow the applicant to be registered as an elector  
203 of this state, provided that such application is not challenged as  
204 provided for therein.

205 (9) In any case in which a municipality expands its  
206 corporate boundaries by annexation, the municipal clerk shall,  
207 within ten (10) days after the effective date of such annexation,  
208 forward to the county registrar a map which accurately depicts the  
209 annexed area. The county registrar shall, within ten (10) days  
210 after the receipt of such map, forward to the municipal clerk a  
211 copy of the most recent county precinct or subprecinct pollbook  
212 for the county precincts in which such annexed area is included,  
213 or equivalent computer data or information as will permit the  
214 identification of county electors who reside in the annexed area.  
215 The municipal clerk shall add those county electors who have  
216 resided in the annexed area for at least thirty (30) days after  
217 annexation to the municipal registration books as registered  
218 voters of the municipality and shall forward to such persons  
219 written notification of such addition and of the municipal  
220 precinct or ward in which such persons reside.

221 **SECTION 4.** Section 23-15-47, Mississippi Code of 1972, is  
222 amended as follows:

223 23-15-47. (1) Any person who is qualified to register to  
224 vote in the State of Mississippi may register to vote by mail-in  
225 application in the manner prescribed in this section.



226 (2) The following procedure shall be used in the  
227 registration of electors by mail:

228 (a) Any qualified elector may register to vote by  
229 mailing or delivering a completed mail-in application to his  
230 county registrar at least thirty (30) days prior to any election.  
231 The postmark date of a mailed application shall be the date of  
232 registration. The application shall be witnessed by one (1)  
233 qualified elector in the county of the applicant's residence. The  
234 name, address and, if available, the daytime telephone number of  
235 the person witnessing the application must be legibly written or  
236 printed on the application. The witness shall not be a candidate  
237 for public office as of the date of the execution of the  
238 application. Any applicant or witness is subject to the penalties  
239 provided in Section 23-15-17 for false registration. Any person  
240 who willfully swears falsely to any material matter on a mail-in  
241 application is guilty of perjury and, upon conviction thereof,  
242 shall be punished as provided in Section 97-9-61.

243 (b) Upon receipt of a mail-in application, the county  
244 registrar shall stamp such application with the date of receipt,  
245 and shall verify the application by contacting the applicant by  
246 telephone, by personal contact with the applicant, or by any other  
247 method approved by the Secretary of State. Within twenty-five  
248 (25) days of receipt of a mail-in application, the county  
249 registrar shall complete action on the application, including any  
250 attempts to notify the applicant of the status of his application.

251 (c) If the county registrar determines that the  
252 applicant is qualified and his application is legible and  
253 complete, he shall mail the applicant written notification that  
254 the application has been approved, specifying the county voting  
255 precinct, polling place and supervisor district in which such  
256 person shall vote. This written notification of approval  
257 containing the specified information shall be the voter's  
258 registration card. Said registration cards shall be provided by





259 the county registrar. The registrar shall assign a voter  
260 registration number to such person, which shall be that person's  
261 social security number if such a number is provided, and said  
262 voter registration number shall be clearly shown on the  
263 application and on the written notification of approval. In  
264 mailing such written notification, the county registrar shall note  
265 the following on the envelope: "DO NOT FORWARD." If any  
266 registration notification form is returned as undeliverable, the  
267 voter's registration shall be void.

268 (d) A mail-in application shall be rejected for any of  
269 the following reasons:

270 (i) An incomplete portion of the application which  
271 makes it impossible for the registrar to determine the eligibility  
272 of the applicant to register;

273 (ii) A portion of the application which is  
274 illegible in the opinion of the county registrar and makes it  
275 impossible to determine the eligibility of the applicant to  
276 register;

277 (iii) The county registrar is unable to determine,  
278 from the address and information stated on the application, the  
279 precinct in which the voter should be assigned or the supervisor  
280 district in which he is entitled to vote;

281 (iv) The applicant is not qualified to register to  
282 vote pursuant to Section 23-15-11;

283 (v) The registrar determines that the applicant is  
284 registered as a qualified elector of the county;

285 (vi) The county registrar is unable to verify the  
286 application pursuant to subsection (2)(b) of this section.

287 (e) If the mail-in application of a person is subject  
288 to rejection for any of the reasons set forth in paragraph (d)(i)  
289 through (iii) of this subsection, and it appears to the registrar  
290 that the defect or omission is of such a minor nature and that any  
291 necessary additional information may be supplied by the applicant



292 over the telephone or by further correspondence, the registrar may  
293 write or call the applicant at the telephone number provided on  
294 the application. If the registrar is able to contact the  
295 applicant by mail or telephone, he shall attempt to ascertain the  
296 necessary information and if this information is sufficient for  
297 the registrar to complete the application, the applicant shall be  
298 registered. If the necessary information cannot be obtained by  
299 mail or telephone or is not sufficient, the registrar shall give  
300 the applicant written notice of the rejection and provide the  
301 reason for such rejection. The registrar shall further inform the  
302 applicant that he has a right to attempt to register by appearing  
303 in person or by filing another mail-in application.

304 (f) If a mail-in application is subject to rejection  
305 for the reason stated in paragraph (d)(v) of this subsection and  
306 the "present home address" portion of the application is different  
307 from the residence address for the applicant found in the  
308 registration book, the mail-in application shall be deemed a  
309 written request to transfer registration pursuant to Section  
310 23-15-13. Subject to the time limits and other provisions of  
311 Section 23-15-13, the registrar or the election commissioners  
312 shall note the new residence address on his records and, if  
313 necessary, transfer the applicant to his new precinct, advise the  
314 applicant of his new precinct, polling place and supervisor  
315 district, and notify the municipal clerk of any such changes on a  
316 monthly basis.

317 (3) The instructions and the application form for voter  
318 registration by mail shall be in the following form and shall  
319 contain the following information:

320 **"INSTRUCTIONS FOR MAIL-IN VOTER REGISTRATION**

321 1. Anyone may assist you in completing the enclosed  
322 application.



323 2. A registered voter of your county who is not now a  
324 candidate for public office must complete and sign the 'Witness  
325 Signature and Certification' portion of the enclosed application.

326 3. All required information must be supplied in legible  
327 form.

328 4. The completed application must be mailed or delivered to  
329 the registrar of your county at least thirty (30) days before an  
330 election in order for you to be registered for that election.  
331 Applications which are mailed must be postmarked thirty (30) days  
332 prior to any election.

333 5. The penalty for conviction of false registration is a  
334 felony punishable by a fine of not more than Five Thousand Dollars  
335 (\$5,000.00) or imprisonment for not more than five (5) years, or  
336 both."

337 **"APPLICATION FOR VOTER REGISTRATION BY MAIL**

338 **STATE OF MISSISSIPPI**

339 I, \_\_\_\_\_, hereby apply for registration as a  
340 voter of \_\_\_\_\_ County, Mississippi.

341 1. Full Name, including maiden name if you have one:

342 \_\_\_\_\_ (First, Middle and/or Maiden, Last)

343 2. Male \_\_\_ Female \_\_\_

344 3. Please give your Social Security Number: \_\_\_\_\_

345 4. Date of Birth: \_\_\_\_\_ 4a. Age: \_\_\_\_\_

346 5. Present Home Address:

347 (a) \_\_\_\_\_ (Street and Number)

348 \_\_\_\_\_ (City, State, Zip)

349 (b) How long have you lived there?

350 From \_\_\_\_\_ (month/year) to present.

351 (c) Do you now live in a city or town of this

352 county? \_\_\_\_\_ If so, which? \_\_\_\_\_

353 (d) Telephone number, if available:

354 (i) Home telephone number \_\_\_\_\_

355 (ii) Daytime or work telephone number \_\_\_\_\_



356 6. Mailing Address: Give your current mailing address if  
357 different from your present home address:

358 \_\_\_\_\_ (Box or Street and Number)

359 \_\_\_\_\_ (City, State, Zip)

360 7. Previous Address: List your most recent address before  
361 your present address:

362 \_\_\_\_\_ (Box or Street and Number)

363 \_\_\_\_\_ (City, State, Zip)

364 From \_\_\_\_\_ (month/year) to \_\_\_\_\_ (month/year)

365 8. Last Registration: Have you ever registered to vote  
366 before in any other county in Mississippi or in any other state?

367 \_\_\_\_\_ If yes, give the last place you were registered:

368 \_\_\_\_\_ (City, County, State)

369 9. Citizenship, Residence, Prior Convictions:

370 (a) Are you a citizen of the United States? \_\_\_\_\_

371 (b) Are you a resident of this state and county? \_\_\_\_\_

372 (c) Have you ever been convicted of the crime of murder,  
373 rape, bribery, theft, arson, obtaining money or goods under false  
374 pretenses, perjury, forgery, embezzlement, or bigamy, convicted in  
375 any court of any felony? \_\_\_\_ If so, what State \_\_\_\_\_, County  
376 \_\_\_\_\_? Date of conviction \_\_\_\_\_.

377 10. Will you need assistance on election day? \_\_\_\_\_. If  
378 yes, for which of the following reasons: permanently physically  
379 disabled \_\_\_\_\_; other (please describe) \_\_\_\_\_  
380 \_\_\_\_\_.

381 11. Applicant Signature and Certification:

382 I certify that I am at least eighteen (18) years old (or I  
383 will be before the next general election), that the above  
384 information given by me is true and correct and that I have truly  
385 answered all questions in the foregoing application for  
386 registration, and that I will faithfully support the Constitution  
387 of the United States and of the State of Mississippi, and will  
388 bear true faith and allegiance to the same.



389 Applicant sign here: \_\_\_\_\_

390 Date: \_\_\_\_\_

391 12. Witness Signature and Certification:

392 I certify that I am a registered voter in \_\_\_\_\_  
393 County, Mississippi, that I am not now a candidate for public  
394 office, and that the above named applicant signed this application  
395 for registration in my presence. I further certify that I have  
396 read the above application, and that the facts stated therein are  
397 true and correct to the best of my knowledge. I personally know  
398 the person who appeared before me or I have seen the person's  
399 identification. I understand that the penalty for knowingly  
400 procuring a person's registration who is not entitled to be  
401 registered, or is registered under a false name or in any other  
402 voting precinct than that in which he resides, is a fine of not  
403 more than Five Thousand Dollars (\$5,000.00) or imprisonment for  
404 not more than five (5) years, or both.

405 Witness sign here: \_\_\_\_\_

406 Full name and address of witness (Print):

407 Name: \_\_\_\_\_

408 Address: \_\_\_\_\_ (Street and Number)

409 \_\_\_\_\_ (City, State, Zip)

410 Telephone number, if available:

411 Home telephone number \_\_\_\_\_

412 Daytime or work telephone number \_\_\_\_\_"

413 (4) (a) The Secretary of State shall prepare and furnish  
414 without charge the necessary forms for application for voter  
415 registration by mail to each county registrar, municipal clerk,  
416 all public schools, each private school that requests such  
417 applications, and all public libraries.

418 (b) The Secretary of State shall distribute without  
419 charge sufficient forms for application for voter registration by  
420 mail to the Commissioner of Public Safety, who shall distribute  
421 such forms to each driver's license examining and renewal station



422 in the state, and shall ensure that the forms are regularly  
423 available to the public at such stations.

424 (c) Bulk quantities of forms for application for voter  
425 registration by mail shall be furnished by the Secretary of State  
426 to any person or organization. The Secretary of State shall  
427 charge a person or organization the actual cost he incurs in  
428 providing bulk quantities of forms for application for voter  
429 registration to such person or organization.

430 (5) The originals of completed mail-in applications shall  
431 remain on file in the office of the county registrar in accordance  
432 with Section 23-15-113. Nothing in this section shall preclude  
433 having applications on microfilm or microfiche.

434 (6) If the reply to question 5(c) above is affirmative, the  
435 county registrar shall forward notice of registration, a duplicate  
436 copy of the application for registration, and any changes to such  
437 registration when they occur, either by certified mail to the  
438 clerk of the municipality indicated in the present residence  
439 address stated in answer to Question 5(c) above or by personal  
440 delivery to such clerk, provided that a numbered receipt is signed  
441 by such clerk in return for the described documents. Upon receipt  
442 of the copy of the application for registration or changes to such  
443 registration, and if a review of same indicates that the applicant  
444 meets all the criteria necessary to qualify as a municipal  
445 elector, then the clerk of said municipality shall register the  
446 applicant as a municipal elector and make a determination of the  
447 municipal voting precinct in which the person making the  
448 application shall be required to vote. The clerk shall send this  
449 municipal voting precinct information by United States first-class  
450 mail, postage prepaid, to such person at the address provided on  
451 the application. Any and all mailing costs incurred by the county  
452 registrar or the clerk of the municipality in effectuating this  
453 subsection shall be paid by the governing authority of such  
454 municipality. If a review of the copy of the application for



455 registration or changes to such registration indicates that the  
456 applicant is not qualified to vote in said municipality, the clerk  
457 of said municipality shall deny such application and notify  
458 applicant.

459 (7) If the reply to Question 8 above is affirmative, the  
460 registrar or clerk shall send written notice of this new  
461 registration by regular United States mail to the registrar or  
462 clerk of the county stated in Question 8 as the voter's previous  
463 place of registration. The information shall include the complete  
464 name, address and age of the voter and shall include the social  
465 security number of such voter if it has been previously supplied.  
466 The election commission of the voter's previous place of  
467 registration shall be responsible for having such voter's name  
468 erased from the appropriate registration book and pollbook.

469 **SECTION 5.** Section 23-15-151, Mississippi Code of 1972, is  
470 amended as follows:

471 23-15-151. The circuit clerk of each county is authorized  
472 and directed to prepare and keep in his office a full and complete  
473 list, in alphabetical order, of persons convicted of any crime  
474 described in Section 23-15-11. Said clerk shall enter the names  
475 of all persons who have been or shall be hereafter convicted of  
476 any crime described in Section 23-15-11 in a book prepared and  
477 kept for that purpose. The board of supervisors of each county  
478 shall, as early as practicable, furnish the circuit clerk of their  
479 county with a suitable book for the enrollment of said names  
480 showing the name, date of birth, address, court, crime and date of  
481 conviction. Said roll, when so prepared, shall be compared with  
482 the registration book before each election commissioner of the  
483 county. A certified copy of any enrollment by one clerk to  
484 another will be sufficient authority for the enrollment of such  
485 name, or names, in another county.

486 **SECTION 6.** Section 23-15-299, Mississippi Code of 1972,  
487 is amended as follows:



488           23-15-299. (1) Assessments made pursuant to paragraphs (a),  
489 (b) and (c) of Section 23-15-297 and assessments made pursuant to  
490 paragraph (d) of Section 23-15-297 for legislative offices shall  
491 be paid by each candidate to the Secretary of the State Executive  
492 Committee with which the candidate is affiliated by 5:00 p.m. on  
493 March 1 of the year in which the primary election for the office  
494 is held or on the date of the qualifying deadline provided by  
495 statute for the office, whichever is earlier.

496           (2) Assessments made pursuant to paragraphs (d) and (e) of  
497 Section 23-15-297, other than assessments made for legislative  
498 offices, shall be paid by each candidate to the circuit clerk of  
499 such candidate's county of residence by 5:00 p.m. on March 1 of  
500 the year in which the primary election for the office is held or  
501 on the date of the qualifying deadline provided by statute for the  
502 office, whichever is earlier; provided, however, that no such  
503 assessments may be paid before January 1 of the year in which the  
504 election for the office is held. The circuit clerk shall forward  
505 the fee and all necessary information to the secretary of the  
506 proper county executive committee within two (2) business days.

507           (3) Assessments made pursuant to paragraphs (f) and (g) of  
508 Section 23-15-297 must be paid by each candidate to the Secretary  
509 of the State Executive Committee with which the candidate is  
510 affiliated by 5:00 p.m. sixty (60) days before the presidential  
511 preference primary in years in which a presidential preference  
512 primary is held. Assessments made pursuant to paragraphs (f) and  
513 (g) of Section 23-15-297, in years when a presidential preference  
514 primary is not being held, shall be paid by each candidate to the  
515 Secretary of the State Executive Committee with which the  
516 candidate is affiliated by 5:00 p.m. on March 1 of the year in  
517 which the primary election for the office is held.

518           (4) (a) The fees paid pursuant to subsections (1), (2) and  
519 (3) of this section shall be accompanied by a written statement  
520 containing the name and address of the candidate, the party with





521 which he or she is affiliated and the office for which he or she  
522 is a candidate.

523 (b) The State Executive Committee shall transmit to the  
524 Secretary of State a copy of the written statements accompanying  
525 the fees paid pursuant to subsections (1) and (2) of this section.  
526 All copies must be received by the Office of the Secretary of  
527 State by not later than 6:00 p.m. on the date of the qualifying  
528 deadline; provided, however, the failure of the Office of the  
529 Secretary of State to receive such copies by 6:00 p.m. on the date  
530 of the qualifying deadline shall not affect the qualification of a  
531 person who pays the required fee and files the required statement  
532 by 5:00 p.m. on the date of the qualifying deadline. The name of  
533 any person who pays the required fee and files the required  
534 statement after 5:00 p.m. on the date of the qualifying deadline  
535 shall not be placed on the primary election ballot.

536 (5) The secretary or circuit clerk to whom such payments are  
537 made shall promptly receipt for same stating the office for which  
538 such candidate making payment is running and the political party  
539 with which he or she is affiliated, and he or she shall keep an  
540 itemized account in detail showing the exact time and date of the  
541 receipt of each payment received by him or her and, where  
542 applicable, the date of the postmark on the envelope containing  
543 the fee and from whom, and for what office the party paying same  
544 is a candidate.

545 (6) The secretaries of the proper executive committee shall  
546 hold said funds to be finally disposed of by order of their  
547 respective executive committees. Such funds may be used or  
548 disbursed by the executive committee receiving same to pay all  
549 necessary traveling or other necessary expenses of the members of  
550 the executive committee incurred in discharging their duties as  
551 committeemen, and of their secretary and may pay the secretary  
552 such salary as may be reasonable.



553           (7) Upon receipt of the proper fee and all necessary  
554 information, the proper executive committee shall then determine  
555 whether each candidate is a qualified elector of the state, state  
556 district, county or county district which they seek to serve, and  
557 whether each candidate meets all other qualifications to hold the  
558 office he is seeking or presents absolute proof that he will,  
559 subject to no contingencies, meet all qualifications on or before  
560 the date of the general or special election at which he could be  
561 elected to office. The committee also shall determine whether any  
562 candidate has been convicted of any \* \* \* crime described in  
563 Section 23-15-11. If the proper executive committee finds that a  
564 candidate either (a) is not a qualified elector, (b) does not meet  
565 all qualifications to hold the office he seeks and fails to  
566 provide absolute proof, subject to no contingencies, that he will  
567 meet the qualifications on or before the date of the general or  
568 special election at which he could be elected, or (c) has been  
569 convicted of a crime as described in this subsection, and not  
570 pardoned, then the name of such candidate shall not be placed upon  
571 the ballot.

572           Where there is but one (1) candidate for each office  
573 contested at the primary election, the proper executive committee  
574 when the time has expired within which the names of candidates  
575 shall be furnished shall declare such candidates the nominees.

576           (8) No candidate may qualify by filing the information  
577 required by this section by using the Internet.

578           **SECTION 7.** Section 23-15-309, Mississippi Code of 1972, is  
579 amended as follows:

580           23-15-309. (1) Nominations for all municipal officers which  
581 are elective shall be made at a primary election, or elections, to  
582 be held in the manner prescribed by law. All persons desiring to  
583 be candidates for the nomination in the primary elections shall  
584 first pay Ten Dollars (\$10.00) to the clerk of the municipality,



585 at least sixty (60) days prior to the first primary election, no  
586 later than 5:00 p.m. on such deadline day.

587 (2) The fee paid pursuant to subsection (1) of this section  
588 shall be accompanied by a written statement containing the name  
589 and address of the candidate, the party with which he is  
590 affiliated, and the office for which he is a candidate.

591 (3) The clerk shall promptly receipt the payment, stating  
592 the office for which the person making the payment is running and  
593 the political party with which such person is affiliated. The  
594 clerk shall keep an itemized account in detail showing the time  
595 and date of the receipt of such payment received by him, from whom  
596 such payment was received, the party with which such person is  
597 affiliated and for what office the person paying the fee is a  
598 candidate. The clerk shall promptly supply all necessary  
599 information and pay over all fees so received to the secretary of  
600 the proper municipal executive committee. Such funds may be used  
601 and disbursed in the same manner as is allowed in Section  
602 23-15-299 in regard to other executive committees.

603 (4) Upon receipt of the above information, the proper  
604 municipal executive committee shall then determine whether each  
605 candidate is a qualified elector of the municipality, and of the  
606 ward if the office sought is a ward office, shall determine  
607 whether each candidate either meets all other qualifications to  
608 hold the office he is seeking or presents absolute proof that he  
609 will, subject to no contingencies, meet all qualifications on or  
610 before the date of the general or special election at which he  
611 could be elected to office. The committee also shall determine  
612 whether any candidate has been convicted of any \* \* \* crime  
613 described in Section 23-15-11. If the proper municipal executive  
614 committee finds that a candidate either (a) does not meet all  
615 qualifications to hold the office he seeks and fails to provide  
616 absolute proof, subject to no contingencies, that he will meet the  
617 qualifications on or before the date of the general or special



618 election at which he could be elected, or (b) has been convicted  
619 of a crime as described in this subsection and not pardoned, then  
620 the name of such candidate shall not be placed upon the ballot.

621 (5) Where there is but one (1) candidate, the proper  
622 municipal executive committee when the time has expired within  
623 which the names of candidates shall be furnished shall declare  
624 such candidate the nominee.

625 **SECTION 8.** The Attorney General of the State of Mississippi  
626 shall submit this act, immediately upon approval by the Governor,  
627 or upon approval by the Legislature subsequent to a veto, to the  
628 Attorney General of the United States or to the United States  
629 District Court for the District of Columbia in accordance with the  
630 provisions of the Voting Rights Act of 1965, as amended and  
631 extended.

632 **SECTION 9.** This act shall take effect and be in force from  
633 and after the date it is effectuated under Section 5 of the Voting  
634 Rights Act of 1965, as amended and extended.

