

By: Representative Denny

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 4

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  
5 CONVICTION IN A COURT OF THIS STATE OR OF ANY OTHER STATE OR IN  
6 ANY FEDERAL COURT OF ANY FELONY EXCEPT A VIOLATION OF THE TAX LAWS  
7 WILL PRECLUDE A PERSON FROM BEING DECLARED A QUALIFIED ELECTOR;  
8 AND FOR RELATED PURPOSES.

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

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

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

30       (2) This section does not disqualify a person as an elector

31 if:

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

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

36               (c) The person was convicted before ratification of  
37 this amendment of an offense that did not disqualify a person as  
38 an elector under the provisions of this Constitution in effect  
39 immediately before the ratification of this amendment."

40               BE IT FURTHER RESOLVED, That this proposed amendment shall be  
41 submitted by the Secretary of State to the qualified electors at  
42 an election to be held on the first Tuesday after the first Monday  
43 of November 2004, as provided by Section 273 of the Constitution  
44 and by general law.

45               BE IT FURTHER RESOLVED, That the explanation of this proposed  
46 amendment for the ballot shall read as follows: "This proposed  
47 constitutional amendment removes from the Constitution a list of  
48 specific felonies, conviction of any of which disqualifies a  
49 person as an elector. The amendment provides that conviction in  
50 this state, another state or any federal court of any felony  
51 except a violation of the tax laws disqualifies a person as an  
52 elector."

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