

By: Representative Denny

To: Constitution

## HOUSE CONCURRENT RESOLUTION NO. 7

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION  
2 241, MISSISSIPPI CONSTITUTION OF 1890, TO DELETE THE ENUMERATION  
3 OF SPECIFIC OFFENSES, CONVICTION OF WHICH WILL PRECLUDE A PERSON  
4 FROM BEING DECLARED A QUALIFIED ELECTOR; TO PROVIDE THAT A PERSON  
5 SHALL BE DISQUALIFIED AS AN ELECTOR UPON CONVICTION OF A FELONY IN  
6 THIS STATE OR ANOTHER JURISDICTION; TO PROVIDE THAT A PERSON WHO  
7 WAS DISQUALIFIED AS AN ELECTOR UPON CONVICTION OF A FELONY SHALL  
8 HAVE HIS RIGHT TO VOTE RESTORED UPON COMPLETION OF HIS SENTENCE,  
9 PROBATION, PAROLE, ANY COURT-ORDERED RESTITUTION AND ALL OTHER  
10 PENALTIES AND CONDITIONS IMPOSED UPON HIM OR HER FOR THE  
11 CONVICTION; TO REPEAL SECTION 253, MISSISSIPPI CONSTITUTION OF  
12 1890, THAT AUTHORIZES THE LEGISLATURE TO RESTORE SUFFRAGE; AND FOR  
13 RELATED PURPOSES.

14 I.

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

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

33 amendment to this section by House Concurrent Resolution No. \_\_\_,  
34 2006 Regular Session becomes effective, shall be declared a  
35 qualified elector upon completion of his sentence, probation,  
36 parole, any court-ordered restitution and all other penalties and  
37 conditions imposed for the conviction, if the person is otherwise  
38 a qualified elector under this section.

39 (2) The provisions of this section do not disqualify a  
40 person as an elector if the person was convicted before  
41 ratification of House Concurrent Resolution No. \_\_\_, 2006 Regular  
42 Session, of an offense that did not disqualify a person as an  
43 elector under the provisions of this Constitution in effect  
44 immediately before the ratification of House Concurrent Resolution  
45 No. \_\_\_, 2006 Regular Session."

46 II.

47 Section 253, Mississippi Constitution of 1890, which reads as  
48 follows:

49 "Section 253. The Legislature may, by a two-thirds (2/3)  
50 vote of both houses, of all members elected, restore the right of  
51 suffrage to any person disqualified by reason of crime; but the  
52 reasons therefor shall be spread upon the journals, and the vote  
53 shall be by yeas and nays." is repealed.

54 BE IT FURTHER RESOLVED, That these proposed amendments shall  
55 be submitted by the Secretary of State to the qualified electors  
56 at an election to be held on the first Tuesday after the first  
57 Monday of November 2006, as provided by Section 273 of the  
58 Constitution and by general law, with the amendments in this  
59 resolution being voted on as one amendment since the proposed  
60 amendments pertain to one subject.

61 BE IT FURTHER RESOLVED, That the explanation of this proposed  
62 amendment for the ballot shall read as follows: "This proposed  
63 constitutional amendment deletes specific offenses, conviction of  
64 which will preclude a person from being declared a qualified  
65 elector and provides that such person shall be disqualified as an

66 elector upon conviction of a felony. The amendment also restores  
67 the right to vote to the disqualified person upon completion of  
68 his sentence and any other conditions of the conviction and  
69 deletes the authority of the Legislature to restore a disqualified  
70 elector's right to vote."

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