

By: Representative Clarke

To: Judiciary B

HOUSE BILL NO. 246

1 AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE RIGHT TO VOTE OF A PERSON DISQUALIFIED AS AN  
3 ELECTOR BY REASON OF CONVICTION OF AN OFFENSE DESCRIBED IN SECTION  
4 241, MISSISSIPPI CONSTITUTION OF 1890, TO BE RESTORED UPON  
5 COMPLETION OF CERTAIN PRESCRIBED CONDITIONS; AND FOR RELATED  
6 PURPOSES.

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

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

10 23-15-11. (1) Every inhabitant of this state, except  
11 persons adjudicated to be non compos mentis, who is a citizen of  
12 the United States of America, eighteen (18) years old and upwards,  
13 who has resided in this state for thirty (30) days and for thirty  
14 (30) days in the county in which he or she seeks to vote, and for  
15 thirty (30) days in the incorporated municipality in which he or  
16 she seeks to vote, and who has been duly registered as an elector  
17 under Section 23-15-33, and who has never been convicted of vote  
18 fraud or if convicted of any crime listed in Section 241,  
19 Mississippi Constitution of 1890, has been issued a certificate of  
20 restoration of suffrage under subsection (2) of this section,



21 shall be a qualified elector in and for the county, municipality  
22 and voting precinct of his or her residence, and shall be entitled  
23 to vote at any election upon compliance with Section 23-15-563.  
24 If the thirtieth day to register before an election falls on a  
25 Sunday or legal holiday, the registration applications submitted  
26 on the business day immediately following the Sunday or legal  
27 holiday shall be accepted and entered in the Statewide Elections  
28 Management System for the purpose of enabling voters to vote in  
29 the next election. Any person who will be eighteen (18) years of  
30 age or older on or before the date of the general election and who  
31 is duly registered to vote not less than thirty (30) days before  
32 the primary election associated with the general election, may  
33 vote in the primary election even though the person has not  
34 reached his or her eighteenth birthday at the time that the person  
35 seeks to vote at the primary election. No others than those  
36 specified in this section shall be entitled, or shall be allowed,  
37 to vote at any election.

38 (2) (a) The suffrage of any person convicted of an offense  
39 described in Section 241, Mississippi Constitution of 1890, will  
40 be restored when all of the following conditions are met:

41 (i) The person has completed all terms and  
42 conditions imposed by the sentencing court, including the service  
43 of any period of incarceration, post-release supervision,  
44 probation or parole;



45                   (ii) A period of three (3) years has elapsed since  
46 the completion of the terms and conditions described in this  
47 paragraph (a) without the person having been convicted  
48 subsequently of a felony under the laws of this state, any other  
49 state or under federal law;

50                   (iii) The person has submitted a sworn petition to  
51 the sentencing court for a certificate of restoration of suffrage,  
52 indicating that the conditions imposed in subparagraphs (i) and  
53 (ii) of this paragraph have been met and the person has never been  
54 convicted of a felony other than that found within the present  
55 cause of action subject to the petition; and

56                   (iv) The clerk of the sentencing court has  
57 verified that the petitioner has not been convicted of a felony  
58 other than the one (1) subject to the sworn petition and the court  
59 has issued a certificate of restoration of suffrage to the person.

60                   (b) If a certificate of restoration of suffrage is  
61 issued by the sentencing court to the person, the certificate must  
62 be forwarded by the clerk of the court to the registrar in the  
63 county in which the person resides and desires to be a qualified  
64 elector. A person who presents a certificate of restoration may  
65 not be denied the right to register to vote or to cast a ballot  
66 based upon a prior felony conviction.

67                   **SECTION 2.** This act shall take effect and be in force from  
68 and after July 1, 2018.

