

By: Representative Reynolds

To: Apportionment and
Elections; Judiciary B

HOUSE BILL NO. 276

1 AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT A PERSON WHO HAS COMMITTED A NONVIOLENT
3 DISQUALIFYING CRIME AS PROVIDED IN SECTION 241, MISSISSIPPI
4 CONSTITUTION OF 1890, SHALL HAVE THE RIGHT TO HAVE HIS OR HER VOTE
5 RESTORED TWO YEARS AFTER COMPLETING ALL OF THE SENTENCING
6 REQUIREMENTS; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972,
7 TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION
8 23-15-151, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE
9 REMOVAL OF VOTERS CONVICTED OF VOTER FRAUD OR DISENFRANCHISING
10 CRIMES FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM, FOR THE
11 PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

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

15 23-15-11. Every inhabitant of this state, except persons
16 adjudicated to be non compos mentis, shall be a qualified elector
17 in and for the county, municipality and voting precinct of his or
18 her residence and shall be entitled to vote at any election upon
19 compliance with Section 23-15-563, if he or she is:

20 (a) * * * A citizen of the United States of
21 America * * *;

22 (b) Eighteen (18) years old and upwards * * *;



23 (c) * * * Has resided in this state for thirty (30)
24 days and for thirty (30) days in the county in which he or she
25 seeks to vote, and for thirty (30) days in the incorporated
26 municipality in which he or she seeks to vote * * *;

27 (d) * * * Has been duly registered as an elector under
28 Section 23-15-33 * * *; and

29 (e) * * * Has never been convicted of vote fraud or of
30 any crime listed in Section 241, Mississippi Constitution of
31 1890, * * * except that a person who committed a nonviolent
32 disqualifying crime listed in Section 241, Mississippi
33 Constitution of 1890, shall have the right to vote two (2) years
34 after he or she has completed all of the sentencing requirements.
35 Any person who will be eighteen (18) years of age or older on or
36 before the date of the general election and who is duly registered
37 to vote not less than thirty (30) days before the primary election
38 associated with the general election, may vote in the primary
39 election even though the person has not reached his or her
40 eighteenth birthday at the time that the person seeks to vote at
41 the primary election. No others than those specified in this
42 section shall be entitled, or shall be allowed, to vote at any
43 election.

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

46 23-15-19. Except as otherwise provided in Section 23-15-11,
47 any person who has been convicted of vote fraud or any crime



48 listed in Section 241, Mississippi Constitution of 1890, such
49 crimes defined as "disenfranchising," shall not be registered, or
50 if registered the name of the person shall be removed from the
51 Statewide Elections Management System by the registrar or the
52 election commissioners of the county of his or her residence.
53 Whenever any person shall be convicted in the circuit court of his
54 or her county of a disenfranchising crime, the county registrar
55 shall thereupon remove his or her name from the Statewide
56 Elections Management System; and whenever any person shall be
57 convicted of a disenfranchising crime in any other court of any
58 county, the presiding judge of the court shall, on demand, certify
59 the fact in writing to the registrar of the county in which the
60 voter resides, who shall thereupon remove the name of the person
61 from the Statewide Elections Management System and retain the
62 certificate as a record of his or her office.

63 **SECTION 3.** Section 23-15-151, Mississippi Code of 1972, is
64 brought forward as follows:

65 23-15-151. The circuit clerk of each county is authorized
66 and directed to prepare and keep in his or her office a full and
67 complete list, in alphabetical order, of persons convicted of
68 voter fraud or of any crime listed in Section 241, Mississippi
69 Constitution of 1890. A certified copy of any enrollment by one
70 clerk to another will be sufficient authority for the enrollment
71 of the name, or names, in another county. A list of persons
72 convicted of voter fraud, any crime listed in Section 241,



73 Mississippi Constitution of 1890, or any crime interpreted as
74 disenfranchising in later Attorney General opinions, shall also be
75 entered into the Statewide Elections Management System on a
76 quarterly basis. Voters who have been convicted in a Mississippi
77 state court of any disenfranchising crime are not qualified
78 electors as defined by Section 23-15-11 and shall be purged or
79 otherwise removed by the county registrar or county election
80 commissioners from the Statewide Elections Management System.

81 **SECTION 4.** This act shall take effect and be in force from
82 and after July 1, 2018.

