

By: Senator(s) Hill

To: Elections

SENATE BILL NO. 2464

1 AN ACT TO PROVIDE THAT ANY PERSON SUBMITTING A VOTER
2 REGISTRATION APPLICATION MUST PRESENT CERTAIN DOCUMENTS TO PROVE
3 HIS OR HER STATUS AS A UNITED STATES CITIZEN; TO AMEND SECTIONS
4 23-15-33, 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO
5 CONFORM; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Any person submitting an application to be
8 registered as an elector in compliance with the laws of this state
9 must provide one (1) of the following documents to prove his or
10 her United States citizenship:

11 (a) A birth certificate or a legible photocopy of the
12 birth certificate;

13 (b) A United States passport, or a legible photocopy of
14 the pertinent pages of the passport, identifying the person and
15 showing the passport number;

16 (c) A United States naturalization documentation, a
17 legible photocopy of the naturalization documentation, or the
18 number of the voter's certificate of naturalization; except that
19 any person who provides the number of the certificate of



20 naturalization in lieu of the naturalization documentation shall
21 not be deemed to have provided proof of citizenship until the
22 registrar verifies the number with the United States Citizenship
23 and Immigration Services in the Department of Homeland Security or
24 its successor; or

25 (d) Any document or method of proof of citizenship
26 established by the federal Immigration Reform and Control Act of
27 1986, Public Law 99-603, compiled in 8 U.S.C. Section 1101 et seq.

28 **SECTION 2.** Section 23-15-33, Mississippi Code of 1972, is
29 amended as follows:

30 23-15-33. (1) Every person entitled to be registered as an
31 elector in compliance with the laws of this state and who (a) has
32 signed his or her name on and properly completed the application
33 for registration to vote and (b) has submitted proof of his or her
34 United States citizenship as provided in Section 1 of this act
35 shall be registered by the county registrar in the voting precinct
36 of the residence of such person through the Statewide Elections
37 Management System.

38 (2) Every person entitled to be registered as an elector in
39 compliance with the laws of this state and who registers to vote
40 pursuant to the National Voter Registration Act of 1993 shall be
41 registered by the county registrar in the voting precinct of the
42 residence of such person through the Statewide Elections
43 Management System.



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

46 23-15-39. (1) Applications for registration as electors of
47 this state, which are sworn to and subscribed before the registrar
48 or deputy registrar authorized by law and which are not made by
49 mail, shall be made upon a form established by rule duly adopted
50 by the Secretary of State. Applications for registration shall
51 include a portion allowing the applicant to indicate his or her
52 United States citizenship status and shall instruct the applicant
53 to submit proof of such citizenship by presenting a document
54 listed in Section 1 of this act.

55 (2) The boards of supervisors shall make proper allowances
56 for office supplies reasonably necessitated by the registration of
57 county electors.

58 (3) If the applicant indicates on the application that he or
59 she resides within the city limits of a city or town in the county
60 of registration, the county registrar shall process the
61 application for registration or changes to the registration as
62 provided by law.

63 (4) If the applicant indicates on the application that he or
64 she has previously registered to vote in another county of this
65 state or another state, notice to the voter's previous county of
66 registration in this state shall be provided by the Statewide
67 Elections Management System. If the voter's previous place of
68 registration was in another state, notice shall be provided to the



69 voter's previous state of residence if the Statewide Elections
70 Management System has that capability.

71 (5) The county registrar shall provide to the person making
72 the application a copy of the application upon which has been
73 written the county voting precinct and municipal voting precinct,
74 if any, in which the person shall vote. Upon entry of the voter
75 registration information into the Statewide Elections Management
76 System, the system shall assign a voter registration number to the
77 person, and the county registrar shall mail the applicant a voter
78 registration card to the mailing address provided on the
79 application.

80 (6) Any person desiring an application for registration may
81 secure an application from the registrar of the county of which he
82 or she is a resident and may take the application with him or her
83 and secure assistance in completing the application from any
84 person of the applicant's choice. It shall be the duty of all
85 registrars to furnish applications for registration to all persons
86 requesting them, and it shall likewise be the registrar's duty to
87 furnish aid and assistance in the completing of the application
88 when requested by an applicant. The application for registration
89 shall be sworn to and subscribed before the registrar or deputy
90 registrar at the municipal clerk's office, the county registrar's
91 office or any other location where the applicant is allowed to
92 register to vote. The registrar shall not charge a fee or cost to
93 the applicant for accepting the application or administering the



94 oath or for any other duty imposed by law regarding the
95 registration of electors.

96 (7) If the person making the application is unable to read
97 or write, for reason of disability or otherwise, he or she shall
98 not be required to personally complete the application in writing
99 and execute the oath. In such cases, the registrar or deputy
100 registrar shall read the application and oath to the person and
101 the person's answers thereto shall be recorded by the registrar or
102 the registrar's deputy. The person shall be registered as an
103 elector if he or she otherwise meets the requirements to be
104 registered as an elector. The registrar shall record the
105 responses of the person and the recorded responses shall be
106 retained permanently by the registrar. The county registrar shall
107 enter the voter registration information into the Statewide
108 Elections Management System and designate the entry as an assisted
109 filing.

110 (8) The receipt of a copy of the application for
111 registration sent pursuant to Section 23-15-35(2) shall be
112 sufficient to allow the applicant to be registered as an elector
113 of this state, if the application is not challenged.

114 (9) In any case in which the corporate boundaries of a
115 municipality change, whether by annexation or redistricting, the
116 municipal clerk shall, within ten (10) days after approval of the
117 change in corporate boundaries, provide to the county registrar
118 conforming geographic data that is compatible with the Statewide



119 Elections Management System. The data shall be developed by the
120 municipality's use of a standardized format specified by the
121 Statewide Elections Management System. The county registrar,
122 county election commissioner or other county official, who has
123 completed an annual training seminar sponsored by the Secretary of
124 State pertaining to the implementation of new boundary lines in
125 the Statewide Elections Management System and received
126 certification for that training, shall update the municipal
127 boundary information into the Statewide Elections Management
128 System. The Statewide Elections Management System updates the
129 municipal voter registration records and assigns electors to their
130 municipal voting precincts. The county registrar shall forward to
131 the municipal clerk written notification of the additions and
132 changes, and the municipal clerk shall forward to the affected
133 municipal electors written notification of the additions and
134 changes.

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

137 23-15-47. (1) Any person who is qualified to register to
138 vote in the State of Mississippi may register to vote by mail-in
139 application in the manner prescribed in this section.

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

142 (a) Any qualified elector may register to vote by
143 mailing or delivering a completed mail-in application to his or



144 her county registrar at least thirty (30) days before any
145 election; however, if the thirtieth day to register before an
146 election falls on a Sunday or legal holiday, the registration
147 applications submitted on the business day immediately following
148 the Sunday or legal holiday shall be accepted and entered into the
149 Statewide Elections Management System for the purpose of enabling
150 voters to vote in the next election. The postmark date of a
151 mailed application shall be the applicant's date of registration.

152 (b) Upon receipt of a mail-in application, the county
153 registrar shall stamp the application with the date of receipt,
154 and shall verify the application either by matching the
155 applicant's Mississippi driver's license number through the
156 Mississippi Department of Public Safety or by matching the
157 applicant's social security number through the American
158 Association of Motor Vehicle Administrators. Additionally, the
159 county registrar shall verify that the applicant has submitted
160 proof of his or her United States citizenship by attaching a
161 document listed in Section 1 of this act to the application.
162 Within fourteen (14) days of receipt of a mail-in registration
163 application, the county registrar shall complete action on the
164 application, including any attempts to notify the applicant of the
165 status of his or her application.

166 (c) If the county registrar determines that the
167 applicant is qualified and his or her application is legible and
168 complete, the county registrar shall mail the applicant written



169 notification that the application has been approved, specifying
170 the county voting precinct, municipal voting precinct, if any,
171 polling place and supervisor district in which the person shall
172 vote. This written notification of approval containing the
173 specified information shall be the voter's registration card. The
174 registration card shall be provided by the county registrar to the
175 applicant in accordance with Section 23-15-39. Upon entry of the
176 voter registration information into the Statewide Elections
177 Management System, the system shall assign a voter registration
178 number to the applicant. The assigned voter registration number
179 shall be clearly shown on the written notification of approval.
180 In mailing the written notification, the county registrar shall
181 note the following on the envelope: "DO NOT FORWARD". If any
182 registration notification form is returned as undeliverable, the
183 voter's registration shall be void.

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

186 (i) An incomplete portion of the application makes
187 it impossible for the registrar to determine the eligibility of
188 the applicant to register;

189 (ii) A portion of the application is illegible in
190 the opinion of the county registrar and makes it impossible to
191 determine the eligibility of the applicant to register;

192 (iii) The county registrar is unable to determine,
193 from the address and information stated on the application, the



194 precinct in which the voter should be assigned or the supervisor
195 district in which he or she is entitled to vote;

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

198 (v) The county registrar determines that the
199 applicant is already registered as a qualified elector of the
200 county;

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

203 (e) If the mail-in application of a person is subject
204 to rejection for any of the reasons set forth in paragraph (d)(i)
205 through (iii) of this subsection, and it appears to the county
206 registrar that the defect or omission is of such a minor nature
207 and that any necessary additional information may be supplied by
208 the applicant over the telephone or by further correspondence, the
209 county registrar may write or call the applicant at the telephone
210 number or address, or both, provided on the application. If the
211 county registrar is able to contact the applicant by mail or
212 telephone, the county registrar shall attempt to ascertain the
213 necessary information, and if this information is sufficient for
214 the registrar to complete the application, the applicant shall be
215 registered. If the necessary information cannot be obtained by
216 mail or telephone, or is not sufficient to complete the
217 application within fourteen (14) days of receipt, the county
218 registrar shall give the applicant written notice of the rejection



219 and provide the reason for the rejection. The county registrar
220 shall further inform the applicant that he or she has a right to
221 attempt to register by appearing in person or by filing another
222 mail-in application.

223 (f) If a mail-in application is subject to rejection
224 for the reason stated in paragraph (d)(v) of this subsection and
225 the "present home address" portion of the application is different
226 from the residence address for the applicant found in the
227 Statewide Elections Management System, the mail-in application
228 shall be deemed a written request to update the voter's
229 registration pursuant to Section 23-15-13. The county registrar
230 or the election commissioners shall update the voter's residence
231 address in the Statewide Elections Management System and, if
232 necessary, advise the voter of a change in the location of his or
233 her county or municipal polling place by mailing the voter a new
234 voter registration card.

235 (3) The instructions and the application form for voter
236 registration by mail shall be in a form established by rule duly
237 adopted by the Secretary of State.

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



243 (b) The Secretary of State shall distribute without
244 charge sufficient forms for application for voter registration by
245 mail to the Commissioner of Public Safety, who shall distribute
246 the forms to each driver's license examining and renewal station
247 in the state, and shall ensure that the forms are regularly
248 available to the public at such stations.

249 (c) Bulk quantities of forms for application for voter
250 registration by mail shall be furnished by the Secretary of State
251 to any person or organization. The Secretary of State shall
252 charge a person or organization the actual cost he or she incurs
253 in providing bulk quantities of forms for application for voter
254 registration to such person or organization.

255 (5) The originals of completed mail-in applications shall
256 remain on file in the office of the county registrar with copies
257 retained in the Statewide Elections Management System.

258 (6) If the applicant indicates on the application that he or
259 she resides within the city limits of a city or town in the county
260 of registration, the county registrar shall enter the information
261 into the Statewide Elections Management System.

262 (7) If the applicant indicates on the application that he or
263 she has previously registered to vote in another county of this
264 state or another state, notice to the voter's previous county of
265 registration in this state shall be provided through the Statewide
266 Elections Management System. If the voter's previous place of



267 registration was in another state, notice shall be provided to the
268 voter's previous state of residence.

269 (8) Any person who attempts to register to vote by mail
270 shall be subject to the penalties for false registration provided
271 for in Section 23-15-17.

272 **SECTION 5.** This act shall take effect and be in force from
273 and after July 1, 2019.

