

By: Senator(s) Simmons (12th)

To: Judiciary, Division B;
Elections

SENATE BILL NO. 2508

1 AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS
2 DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME;
3 TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER
4 COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE
5 IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO AMEND
6 SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND
7 SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE
8 REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT
9 SYSTEM UNLESS THE PERSON IS SERVING A TERM OF INCARCERATION OR
10 PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO
11 PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES
12 OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST
13 INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151,
14 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S
15 ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF
16 DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF
17 THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS
18 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
19 THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER
20 CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47,
21 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE
22 WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A
23 PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT IS NOT
24 DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS
25 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO
26 PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT
27 TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS
28 WHICH WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS
29 RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION
30 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY
31 OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN
32 A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY
33 WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; TO BRING FORWARD
34 SECTION 23-15-573, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE



35 PROCEDURE FOR CASTING AN AFFIDAVIT BALLOT, FOR PURPOSES OF
36 POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

38 **SECTION 1.** (1) The right of suffrage is hereby fully and
39 completely restored to any person disqualified by reason of
40 conviction for vote fraud or of any crime listed in Section 241,
41 Mississippi Constitution of 1890, as follows:

42 (a) Upon the completion of the term of incarceration
43 imposed by the sentencing court, including any period of time to
44 be served on parole for such crime; or

45 (b) Immediately upon imposition of sentence by the
46 sentencing court if sentenced solely to a term of probation for
47 such crime.

48 (2) Any person enfranchised under subsection (1) of this
49 section shall have the full right of suffrage restored as though
50 an act had been passed by the Legislature in accordance with
51 Section 253, Mississippi Constitution of 1890, restoring the right
52 of suffrage to such person.

53 **SECTION 2.** Section 23-15-11, Mississippi Code of 1972, is
54 amended as follows:

55 23-15-11. Every inhabitant of this state, except persons
56 adjudicated to be non compos mentis, who is a citizen of the
57 United States of America, eighteen (18) years old and upwards, who
58 has resided in this state for thirty (30) days and for thirty (30)
59 days in the county in which he or she seeks to vote, and for
60 thirty (30) days in the incorporated municipality in which he or



61 she seeks to vote, and who has been duly registered as an elector
62 under Section 23-15-33, and who * * *, if convicted of vote fraud
63 or of any crime listed in Section 241, Mississippi Constitution of
64 1890, has been restored the right of suffrage as provided in
65 Section 1 of this act, shall be a qualified elector in and for the
66 county, municipality and voting precinct of his or her residence,
67 and shall be entitled to vote at any election upon compliance with
68 Section 23-15-563. If the thirtieth day to register before an
69 election falls on a Sunday or legal holiday, the registration
70 applications submitted on the business day immediately following
71 the Sunday or legal holiday shall be accepted and entered in the
72 Statewide Elections Management System for the purpose of enabling
73 voters to vote in the next election. Any person who will be
74 eighteen (18) years of age or older on or before the date of the
75 general election and who is duly registered to vote not less than
76 thirty (30) days before the primary election associated with the
77 general election, may vote in the primary election even though the
78 person has not reached his or her eighteenth birthday at the time
79 that the person seeks to vote at the primary election. No others
80 than those specified in this section shall be entitled, or shall
81 be allowed, to vote at any election.

82 **SECTION 3.** Section 23-15-19, Mississippi Code of 1972, is
83 amended as follows:

84 23-15-19. (1) Except as provided in subsection (2) of this
85 section, any person who has been convicted of vote fraud or any



86 crime listed in Section 241, Mississippi Constitution of 1890,
87 such crimes defined as "disenfranchising," shall not be
88 registered * * *. If registered, the name of the person convicted
89 of a disenfranchising crime shall be removed from the Statewide
90 Elections Management System by the registrar or the election
91 commissioners of the county of his or her residence if at the time
92 of removal, the person is serving a term of incarceration or
93 parole for such crime. Except as provided in subsection (2) of
94 this section, whenever any person shall be convicted in the
95 circuit court of his or her county of a disenfranchising crime,
96 the county registrar shall thereupon remove his or her name from
97 the Statewide Elections Management System * * *. Except as
98 provided in subsection (2) of this section, whenever any person
99 shall be convicted of a disenfranchising crime in any other court
100 of any county, the presiding judge of the court shall, on demand,
101 certify the * * * conviction and sentence imposed in writing to
102 the registrar of the county in which the voter resides, who shall
103 thereupon remove the name of the person from the Statewide
104 Elections Management System and retain the certificate as a record
105 of his or her office.

106 (2) (a) No person shall be denied the right to register to
107 vote based on his or her conviction of a disenfranchising crime:
108 (i) after the completion of the term of incarceration imposed by
109 the court, including any period of time to be served on parole for



110 such crime; or (ii) after imposition of sentence if sentenced
111 solely to a term of probation for such crime;

112 (b) No person shall have his or her name removed from
113 the Statewide Elections Management System by the registrar or the
114 election commissioners upon or after the person's conviction of a
115 disenfranchising crime if the sentence imposed by the court is
116 solely a term of probation for such crime; and

117 (c) No person shall be required to furnish proof that
118 he or she has been restored the right of suffrage as provided in
119 Section 1 of this act in order to register to vote.

120 **SECTION 4.** Section 23-15-151, Mississippi Code of 1972, is
121 amended as follows:

122 23-15-151. The circuit clerk of each county is authorized
123 and directed to prepare and keep in his or her office a full and
124 complete list, in alphabetical order, of persons convicted of
125 voter fraud or of any crime listed in Section 241, Mississippi
126 Constitution of 1890, and not restored the right of suffrage as
127 provided in Section 1 of this act. A certified copy of any
128 enrollment by one clerk to another will be sufficient authority
129 for the enrollment of the name, or names, in another county. A
130 list of persons convicted of voter fraud, any crime listed in
131 Section 241, Mississippi Constitution of 1890, or any crime
132 interpreted as disenfranchising in later Attorney General opinions
133 and not restored the right of suffrage as provided in Section 1 of
134 this act, shall also be entered into the Statewide Elections



135 Management System on a quarterly basis. Except as provided in
136 Section 1 of this act and Section 23-15-19, voters who have been
137 convicted in a Mississippi state court of any disenfranchising
138 crime are not qualified electors as defined by Section 23-15-11
139 and shall be purged or otherwise removed by the county registrar
140 or county election commissioners from the Statewide Elections
141 Management System.

142 **SECTION 5.** Section 23-15-125, Mississippi Code of 1972, is
143 amended as follows:

144 23-15-125. The pollbook of each voting precinct shall
145 designate the voting precinct for which it is to be used, and
146 shall be ruled in appropriate columns, with printed or written
147 headings, as follows: date of registration; voter registration
148 number; name of electors; date of birth; and a number of blank
149 columns for the dates of elections. All qualified applicants who
150 register with the registrar shall be entered in the Statewide
151 Elections Management System. Only the names of those qualified
152 applicants who register within thirty (30) days before an election
153 shall appear on the pollbooks of the election; however, if the
154 thirtieth day to register before an election falls on a Sunday or
155 legal holiday, the registration applications submitted on the
156 business day immediately following the legal holiday shall be
157 accepted and entered in the Statewide Elections Management System
158 for the purpose of enabling voters to vote in the next election.
159 When county election commissioners determine that any elector is



160 disqualified from voting, by reason of death, conviction of a
161 disenfranchising crime if the right of suffrage has not been
162 restored as provided in Section 1 of this act, removal from the
163 jurisdiction, or other legal cause, that fact shall be noted in
164 the Statewide Elections Management System and the voter's name
165 shall be removed from the Statewide Elections Management System,
166 the state's voter roll and the county's pollbooks. Nothing in
167 this section shall preclude the use of electronic pollbooks.

168 **SECTION 6.** Section 23-15-153, Mississippi Code of 1972, is
169 amended as follows:

170 23-15-153. (1) At least during the following times, the
171 election commissioners shall meet at the office of the registrar
172 or the office of the election commissioners to carefully revise
173 the county voter roll as electronically maintained by the
174 Statewide Elections Management System and remove from the roll the
175 names of all voters who have requested to be purged from the voter
176 roll, died, received an adjudication of non compos mentis, been
177 convicted of a disenfranchising crime if the right of suffrage has
178 not been restored as provided in Section 1 of this act, or
179 otherwise become disqualified as electors for any cause, and shall
180 register the names of all persons who have duly applied to be
181 registered but have been illegally denied registration:

182 (a) On the Tuesday after the second Monday in January
183 1987 and every following year;



184 (b) On the first Tuesday in the month immediately
185 preceding the first primary election for members of Congress in
186 the years when members of Congress are elected;

187 (c) On the first Monday in the month immediately
188 preceding the first primary election for state, state district
189 legislative, county and county district offices in the years in
190 which those offices are elected; and

191 (d) On the second Monday of September preceding the
192 general election or regular special election day in years in which
193 a general election is not conducted.

194 Except for the names of those voters who are duly qualified
195 to vote in the election, no name shall be permitted to remain in
196 the Statewide Elections Management System; however, no name shall
197 be purged from the Statewide Elections Management System based on
198 a change in the residence of an elector except in accordance with
199 procedures provided for by the National Voter Registration Act of
200 1993. Except as otherwise provided by Section 23-15-573, no
201 person shall vote at any election whose name is not in the county
202 voter roll electronically maintained by the Statewide Elections
203 Management System.

204 (2) Except as provided in this section, and subject to the
205 following annual limitations, the election commissioners shall be
206 entitled to receive a per diem in the amount of One Hundred
207 Dollars (\$100.00), to be paid from the county general fund, for
208 every day or period of no less than five (5) hours accumulated



209 over two (2) or more days actually employed in the performance of
210 their duties in the conduct of an election or actually employed in
211 the performance of their duties for the necessary time spent in
212 the revision of the county voter roll as electronically maintained
213 by the Statewide Elections Management System as required in
214 subsection (1) of this section:

215 (a) In counties having less than fifteen thousand
216 (15,000) residents according to the latest federal decennial
217 census, not more than fifty (50) days per year, with no more than
218 fifteen (15) additional days allowed for the conduct of each
219 election in excess of one (1) occurring in any calendar year;

220 (b) In counties having fifteen thousand (15,000)
221 residents according to the latest federal decennial census but
222 less than thirty thousand (30,000) residents according to the
223 latest federal decennial census, not more than seventy-five (75)
224 days per year, with no more than twenty-five (25) additional days
225 allowed for the conduct of each election in excess of one (1)
226 occurring in any calendar year;

227 (c) In counties having thirty thousand (30,000)
228 residents according to the latest federal decennial census but
229 less than seventy thousand (70,000) residents according to the
230 latest federal decennial census, not more than one hundred (100)
231 days per year, with no more than thirty-five (35) additional days
232 allowed for the conduct of each election in excess of one (1)
233 occurring in any calendar year;



234 (d) In counties having seventy thousand (70,000)
235 residents according to the latest federal decennial census but
236 less than ninety thousand (90,000) residents according to the
237 latest federal decennial census, not more than one hundred
238 twenty-five (125) days per year, with no more than forty-five (45)
239 additional days allowed for the conduct of each election in excess
240 of one (1) occurring in any calendar year;

241 (e) In counties having ninety thousand (90,000)
242 residents according to the latest federal decennial census but
243 less than one hundred seventy thousand (170,000) residents
244 according to the latest federal decennial census, not more than
245 one hundred fifty (150) days per year, with no more than
246 fifty-five (55) additional days allowed for the conduct of each
247 election in excess of one (1) occurring in any calendar year;

248 (f) In counties having one hundred seventy thousand
249 (170,000) residents according to the latest federal decennial
250 census but less than two hundred thousand (200,000) residents
251 according to the latest federal decennial census, not more than
252 one hundred seventy-five (175) days per year, with no more than
253 sixty-five (65) additional days allowed for the conduct of each
254 election in excess of one (1) occurring in any calendar year;

255 (g) In counties having two hundred thousand (200,000)
256 residents according to the latest federal decennial census but
257 less than two hundred twenty-five thousand (225,000) residents
258 according to the latest federal decennial census, not more than



259 one hundred ninety (190) days per year, with no more than
260 seventy-five (75) additional days allowed for the conduct of each
261 election in excess of one (1) occurring in any calendar year;

262 (h) In counties having two hundred twenty-five thousand
263 (225,000) residents according to the latest federal decennial
264 census but less than two hundred fifty thousand (250,000)
265 residents according to the latest federal decennial census, not
266 more than two hundred fifteen (215) days per year, with no more
267 than eighty-five (85) additional days allowed for the conduct of
268 each election in excess of one (1) occurring in any calendar year;

269 (i) In counties having two hundred fifty thousand
270 (250,000) residents according to the latest federal decennial
271 census but less than two hundred seventy-five thousand (275,000)
272 residents according to the latest federal decennial census, not
273 more than two hundred thirty (230) days per year, with no more
274 than ninety-five (95) additional days allowed for the conduct of
275 each election in excess of one (1) occurring in any calendar year;

276 (j) In counties having two hundred seventy-five
277 thousand (275,000) residents according to the latest federal
278 decennial census or more, not more than two hundred forty (240)
279 days per year, with no more than one hundred five (105) additional
280 days allowed for the conduct of each election in excess of one (1)
281 occurring in any calendar year.

282 (3) In addition to the number of days authorized in
283 subsection (2) of this section, the board of supervisors of a



284 county may authorize, in its discretion, the election
285 commissioners to receive a per diem in the amount provided for in
286 subsection (2) of this section, to be paid from the county general
287 fund, for every day or period of no less than five (5) hours
288 accumulated over two (2) or more days actually employed in the
289 performance of their duties in the conduct of an election or
290 actually employed in the performance of their duties for the
291 necessary time spent in the revision of the county voter roll as
292 electronically maintained by the Statewide Elections Management
293 System as required in subsection (1) of this section, * * * not to
294 exceed five (5) days.

295 (4) (a) The election commissioners shall be entitled to
296 receive a per diem in the amount of One Hundred Dollars (\$100.00),
297 to be paid from the county general fund, not to exceed ten (10)
298 days for every day or period of no less than five (5) hours
299 accumulated over two (2) or more days actually employed in the
300 performance of their duties for the necessary time spent in the
301 revision of the county voter roll as electronically maintained by
302 the Statewide Elections Management System before any special
303 election. For purposes of this paragraph, the regular special
304 election day shall not be considered a special election. The
305 annual limitations set forth in subsection (2) of this section
306 shall not apply to this paragraph.

307 (b) The election commissioners shall be entitled to
308 receive a per diem in the amount of One Hundred Fifty Dollars



309 (\$150.00), to be paid from the county general fund, for the
310 performance of their duties on the day of any general or special
311 election. The annual limitations set forth in subsection (2) of
312 this section shall apply to this paragraph.

313 (5) The election commissioners shall be entitled to receive
314 a per diem in the amount of One Hundred Dollars (\$100.00), to be
315 paid from the county general fund, not to exceed fourteen (14)
316 days for every day or period of no less than five (5) hours
317 accumulated over two (2) or more days actually employed in the
318 performance of their duties for the necessary time spent in the
319 revision of the county voter roll as electronically maintained by
320 the Statewide Elections Management System and in the conduct of a
321 runoff election following either a general or special election.

322 (6) The election commissioners shall be entitled to receive
323 only one (1) per diem payment for those days when the election
324 commissioners discharge more than one (1) duty or responsibility
325 on the same day.

326 (7) In preparation for a municipal primary, runoff, general
327 or special election, the county registrar shall generate and
328 distribute the master voter roll and pollbooks from the Statewide
329 Elections Management System for the municipality located within
330 the county. The municipality shall pay the county registrar for
331 the actual cost of preparing and printing the municipal master
332 voter roll pollbooks. A municipality may secure "read only"



333 access to the Statewide Elections Management System and print its
334 own pollbooks using this information.

335 (8) County election commissioners who perform the duties of
336 an executive committee with regard to the conduct of a primary
337 election under a written agreement authorized by law to be entered
338 into with an executive committee shall receive per diem as
339 provided for in subsection (2) of this section. The days that
340 county election commissioners are employed in the conduct of a
341 primary election shall be treated the same as days county election
342 commissioners are employed in the conduct of other elections.

343 (9) In addition to any per diem authorized by this section,
344 any election commissioner shall be entitled to the mileage
345 reimbursement rate allowable to federal employees for the use of a
346 privately owned vehicle while on official travel on election day.

347 (10) Every election commissioner shall sign personally a
348 certification setting forth the number of hours actually worked in
349 the performance of the commissioner's official duties and for
350 which the commissioner seeks compensation. The certification must
351 be on a form as prescribed in this subsection. The commissioner's
352 signature is, as a matter of law, made under the commissioner's
353 oath of office and under penalties of perjury.

354 The certification form shall be as follows:

355 **COUNTY ELECTION COMMISSIONER**

356 **PER DIEM CLAIM FORM**

357 NAME: _____ COUNTY: _____



358 ADDRESS: _____ DISTRICT: _____

359 CITY: _____ ZIP: _____

360 PURPOSE APPLICABLE ACTUAL PER DIEM

361 DATE BEGINNING ENDING OF MS CODE HOURS DAYS

362 WORKED TIME TIME WORK SECTION WORKED EARNED

363 _____

364 _____

365 _____

366 TOTAL NUMBER OF PER DIEM DAYS EARNED

367 EXCLUDING ELECTION DAYS _____

368 PER DIEM RATE PER DAY EARNED X \$100.00

369 TOTAL NUMBER PER DIEM DAYS EARNED

370 FOR ELECTION DAYS _____

371 PER DIEM RATE PER DAY EARNED X \$150.00

372 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

373 I understand that I am signing this document under my oath as
374 an election commissioner and under penalties of perjury.

375 I understand that I am requesting payment from taxpayer funds
376 and that I have an obligation to be specific and truthful as to
377 the amount of hours worked and the compensation I am requesting.

378 Signed this the _____ day of _____, ____.

379 _____

380 Commissioner's Signature

381 When properly completed and signed, the certification must be
382 filed with the clerk of the county board of supervisors before any



383 payment may be made. The certification will be a public record
384 available for inspection and reproduction immediately upon the
385 oral or written request of any person.

386 Any person may contest the accuracy of the certification in
387 any respect by notifying the chair of the commission, any member
388 of the board of supervisors or the clerk of the board of
389 supervisors of the contest at any time before or after payment is
390 made. If the contest is made before payment is made, no payment
391 shall be made as to the contested certificate until the contest is
392 finally disposed of. The person filing the contest shall be
393 entitled to a full hearing, and the clerk of the board of
394 supervisors shall issue subpoenas upon request of the contestor
395 compelling the attendance of witnesses and production of documents
396 and things. The contestor shall have the right to appeal de novo
397 to the circuit court of the involved county, which appeal must be
398 perfected within thirty (30) days from a final decision of the
399 commission, the clerk of the board of supervisors or the board of
400 supervisors, as the case may be.

401 Any contestor who successfully contests any certification
402 will be awarded all expenses incident to his or her contest,
403 together with reasonable attorney's fees, which will be awarded
404 upon petition to the chancery court of the involved county upon
405 final disposition of the contest before the election commission,
406 board of supervisors, clerk of the board of supervisors, or, in
407 case of an appeal, final disposition by the court. The



408 commissioner against whom the contest is decided shall be liable
409 for the payment of the expenses and attorney's fees, and the
410 county shall be jointly and severally liable for same.

411 (11) Any election commissioner who has not received a
412 certificate issued by the Secretary of State pursuant to Section
413 23-15-211 indicating that the election commissioner has received
414 the required elections seminar instruction and that the election
415 commissioner is fully qualified to conduct an election, shall not
416 receive any compensation authorized by this section or Section
417 23-15-239.

418 **SECTION 7.** Section 23-15-39, Mississippi Code of 1972, is
419 amended as follows:

420 23-15-39. (1) Applications for registration as electors of
421 this state, which are sworn to and subscribed before the registrar
422 or deputy registrar authorized by law and which are not made by
423 mail, shall be made upon a form established by rule duly adopted
424 by the Secretary of State. The application shall state that a
425 person who has been restored the right of suffrage as provided in
426 Section 1 of this act is not disqualified to register to vote
427 pursuant to Section 23-15-11.

428 (2) The boards of supervisors shall make proper allowances
429 for office supplies reasonably necessitated by the registration of
430 county electors.

431 (3) If the applicant indicates on the application that he or
432 she resides within the city limits of a city or town in the county



433 of registration, the county registrar shall process the
434 application for registration or changes to the registration as
435 provided by law.

436 (4) If the applicant indicates on the application that he or
437 she has previously registered to vote in another county of this
438 state or another state, notice to the voter's previous county of
439 registration in this state shall be provided by the Statewide
440 Elections Management System. If the voter's previous place of
441 registration was in another state, notice shall be provided to the
442 voter's previous state of residence if the Statewide Elections
443 Management System has that capability.

444 (5) The county registrar shall provide to the person making
445 the application a copy of the application upon which has been
446 written the county voting precinct and municipal voting precinct,
447 if any, in which the person shall vote. Upon entry of the voter
448 registration information into the Statewide Elections Management
449 System, the system shall assign a voter registration number to the
450 person, and the county registrar shall mail the applicant a voter
451 registration card to the mailing address provided on the
452 application.

453 (6) Any person desiring an application for registration may
454 secure an application from the registrar of the county of which he
455 or she is a resident and may take the application with him or her
456 and secure assistance in completing the application from any
457 person of the applicant's choice. It shall be the duty of all



458 registrars to furnish applications for registration to all persons
459 requesting them, and it shall likewise be the registrar's duty to
460 furnish aid and assistance in the completing of the application
461 when requested by an applicant. The application for registration
462 shall be sworn to and subscribed before the registrar or deputy
463 registrar at the municipal clerk's office, the county registrar's
464 office or any other location where the applicant is allowed to
465 register to vote. The registrar shall not charge a fee or cost to
466 the applicant for accepting the application or administering the
467 oath or for any other duty imposed by law regarding the
468 registration of electors.

469 (7) If the person making the application is unable to read
470 or write, for reason of disability or otherwise, he or she shall
471 not be required to personally complete the application in writing
472 and execute the oath. In such cases, the registrar or deputy
473 registrar shall read the application and oath to the person and
474 the person's answers thereto shall be recorded by the registrar or
475 the registrar's deputy. The person shall be registered as an
476 elector if he or she otherwise meets the requirements to be
477 registered as an elector. The registrar shall record the
478 responses of the person and the recorded responses shall be
479 retained permanently by the registrar. The county registrar shall
480 enter the voter registration information into the Statewide
481 Elections Management System and designate the entry as an assisted
482 filing.



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

487 (9) In any case in which the corporate boundaries of a
488 municipality change, whether by annexation or redistricting, the
489 municipal clerk shall, within ten (10) days after approval of the
490 change in corporate boundaries, provide to the county registrar
491 conforming geographic data that is compatible with the Statewide
492 Elections Management System. The data shall be developed by the
493 municipality's use of a standardized format specified by the
494 Statewide Elections Management System. The county registrar,
495 county election commissioner or other county official, who has
496 completed an annual training seminar sponsored by the Secretary of
497 State pertaining to the implementation of new boundary lines in
498 the Statewide Elections Management System and received
499 certification for that training, shall update the municipal
500 boundary information into the Statewide Elections Management
501 System. The Statewide Elections Management System updates the
502 municipal voter registration records and assigns electors to their
503 municipal voting precincts. The county registrar shall forward to
504 the municipal clerk written notification of the additions and
505 changes, and the municipal clerk shall forward to the affected
506 municipal electors written notification of the additions and
507 changes.



508 **SECTION 8.** Section 23-15-47, Mississippi Code of 1972, is
509 amended as follows:

510 23-15-47. (1) Any person who is qualified to register to
511 vote in the State of Mississippi may register to vote by mail-in
512 application in the manner prescribed in this section.

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

515 (a) Any qualified elector may register to vote by
516 mailing or delivering a completed mail-in application to his or
517 her county registrar at least thirty (30) days before any
518 election; however, if the thirtieth day to register before an
519 election falls on a Sunday or legal holiday, the registration
520 applications submitted on the business day immediately following
521 the Sunday or legal holiday shall be accepted and entered into the
522 Statewide Elections Management System for the purpose of enabling
523 voters to vote in the next election. The postmark date of a
524 mailed application shall be the applicant's date of registration.

525 (b) Upon receipt of a mail-in application, the county
526 registrar shall stamp the application with the date of receipt,
527 and shall verify the application either by matching the
528 applicant's Mississippi driver's license number through the
529 Mississippi Department of Public Safety or by matching the
530 applicant's social security number through the American
531 Association of Motor Vehicle Administrators. Within fourteen (14)
532 days of receipt of a mail-in registration application, the county



533 registrar shall complete action on the application, including any
534 attempts to notify the applicant of the status of his or her
535 application.

536 (c) If the county registrar determines that the
537 applicant is qualified and his or her application is legible and
538 complete, the county registrar shall mail the applicant written
539 notification that the application has been approved, specifying
540 the county voting precinct, municipal voting precinct, if any,
541 polling place and supervisor district in which the person shall
542 vote. This written notification of approval containing the
543 specified information shall be the voter's registration card. The
544 registration card shall be provided by the county registrar to the
545 applicant in accordance with Section 23-15-39. Upon entry of the
546 voter registration information into the Statewide Elections
547 Management System, the system shall assign a voter registration
548 number to the applicant. The assigned voter registration number
549 shall be clearly shown on the written notification of approval.
550 In mailing the written notification, the county registrar shall
551 note the following on the envelope: "DO NOT FORWARD". If any
552 registration notification form is returned as undeliverable, the
553 voter's registration shall be void.

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



556 (i) An incomplete portion of the application makes
557 it impossible for the registrar to determine the eligibility of
558 the applicant to register;

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

562 (iii) The county registrar is unable to determine,
563 from the address and information stated on the application, the
564 precinct in which the voter should be assigned or the supervisor
565 district in which he or she is entitled to vote;

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

568 (v) The county registrar determines that the
569 applicant is already registered as a qualified elector of the
570 county;

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

573 (e) If the mail-in application of a person is subject
574 to rejection for any of the reasons set forth in paragraph (d)(i)
575 through (iii) of this subsection, and it appears to the county
576 registrar that the defect or omission is of such a minor nature
577 and that any necessary additional information may be supplied by
578 the applicant over the telephone or by further correspondence, the
579 county registrar may write or call the applicant at the telephone
580 number or address, or both, provided on the application. If the



581 county registrar is able to contact the applicant by mail or
582 telephone, the county registrar shall attempt to ascertain the
583 necessary information, and if this information is sufficient for
584 the registrar to complete the application, the applicant shall be
585 registered. If the necessary information cannot be obtained by
586 mail or telephone, or is not sufficient to complete the
587 application within fourteen (14) days of receipt, the county
588 registrar shall give the applicant written notice of the rejection
589 and provide the reason for the rejection. The county registrar
590 shall further inform the applicant that he or she has a right to
591 attempt to register by appearing in person or by filing another
592 mail-in application.

593 (f) If a mail-in application is subject to rejection
594 for the reason stated in paragraph (d)(v) of this subsection and
595 the "present home address" portion of the application is different
596 from the residence address for the applicant found in the
597 Statewide Elections Management System, the mail-in application
598 shall be deemed a written request to update the voter's
599 registration pursuant to Section 23-15-13. The county registrar
600 or the election commissioners shall update the voter's residence
601 address in the Statewide Elections Management System and, if
602 necessary, advise the voter of a change in the location of his or
603 her county or municipal polling place by mailing the voter a new
604 voter registration card.



605 (3) The instructions and the application form for voter
606 registration by mail shall be in a form established by rule duly
607 adopted by the Secretary of State. The instructions and the
608 application shall state that a person who has been restored the
609 right of suffrage as provided in Section 1 of this act is not
610 disqualified to register to vote pursuant to Section 23-15-11.

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

616 (b) The Secretary of State shall distribute without
617 charge sufficient forms for application for voter registration by
618 mail to the Commissioner of Public Safety, who shall distribute
619 the forms to each driver's license examining and renewal station
620 in the state, and shall ensure that the forms are regularly
621 available to the public at such stations.

622 (c) Bulk quantities of forms for application for voter
623 registration by mail shall be furnished by the Secretary of State
624 to any person or organization. The Secretary of State shall
625 charge a person or organization the actual cost he or she incurs
626 in providing bulk quantities of forms for application for voter
627 registration to such person or organization.



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

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

635 (7) If the applicant indicates on the application that he or
636 she has previously registered to vote in another county of this
637 state or another state, notice to the voter's previous county of
638 registration in this state shall be provided through the Statewide
639 Elections Management System. If the voter's previous place of
640 registration was in another state, notice shall be provided to the
641 voter's previous state of residence.

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

645 **SECTION 9.** Section 23-15-213, Mississippi Code of 1972, is
646 amended as follows:

647 **[Until December 31, 2022, this section shall read as**
648 **follows:]**

649 23-15-213. (1) At the general election in 2020, there shall
650 be elected five (5) election commissioners for each county whose
651 terms of office shall commence on the first Monday of January
652 following their election. Each of the commissioners shall be



653 required to attend a training seminar provided by the Secretary of
654 State and satisfactorily complete a skills assessment * * *. The
655 Secretary of State shall ensure that the training seminar includes
656 instructions to commissioners on the proper performance of their
657 duties with regard to persons who are restored the right of
658 suffrage as provided in Section 1 of this act. Before acting,
659 each of the commissioners shall take and subscribe the oath of
660 office prescribed by the Constitution. The oath shall be filed in
661 the office of the clerk of the chancery court. Upon filing the
662 oath of office, the election commissioner may be provided access
663 to the Statewide Elections Management System for the purpose of
664 performing his or her duties. While engaged in their duties, the
665 commissioners shall be conservators of the peace in the county,
666 with all the duties and powers of such.

667 (2) The qualified electors of each supervisors district
668 shall elect, at the general election in 2020, in their district
669 one (1) election commissioner. The election commissioners from
670 board of supervisors' Districts One, Three and Five shall serve
671 for a term of four (4) years. The election commissioners from
672 board of supervisors' Districts Two and Four shall serve for a
673 term of three (3) years. No more than one (1) commissioner shall
674 be a resident of and reside in each supervisors district of the
675 county; it being the purpose of this section that the county board
676 of election commissioners shall consist of one (1) person from
677 each supervisors district of the county and that each commissioner



678 be elected from the supervisors district in which he or she
679 resides.

680 (3) Candidates for county election commissioner shall
681 qualify by filing with the clerk of the board of supervisors of
682 their respective counties a petition personally signed by not less
683 than fifty (50) qualified electors of the supervisors district in
684 which they reside, requesting that they be a candidate, by 5:00
685 p.m. not later than the first Monday in June of the year in which
686 the election occurs and unless the petition is filed within the
687 required time, their names shall not be placed upon the ballot.
688 All candidates shall declare in writing their party affiliation,
689 if any, to the board of supervisors, and such party affiliation
690 shall be shown on the official ballot.

691 (4) The petition shall have attached thereto a certificate
692 of the county registrar showing the number of qualified electors
693 on each petition, which shall be furnished by the registrar on
694 request. The board shall determine the sufficiency of the
695 petition, and if the petition contains the required number of
696 signatures and is filed within the time required, the president of
697 the board shall verify that the candidate is a resident of the
698 supervisors district in which he or she seeks election and that
699 the candidate is otherwise qualified as provided by law, and shall
700 certify that the candidate is qualified to the chair or secretary
701 of the county election commission and the names of the candidates
702 shall be placed upon the ballot for the ensuing election. No



703 county election commissioner shall serve or be considered as
704 elected until he or she has received a majority of the votes cast
705 for the position or post for which he or she is a candidate. If a
706 majority vote is not received in the first election, then the two
707 (2) candidates receiving the most votes for each position or post
708 shall be placed upon the ballot for a second election to be held
709 three (3) weeks later in accordance with appropriate procedures
710 followed in other elections involving runoff candidates.

711 (5) Upon taking office, the county election commissioners
712 shall organize by electing a chair and a secretary.

713 (6) It shall be the duty of the chair to have the official
714 ballot printed and distributed at each general or special
715 election.

716 **[From and after January 1, 2023, this section shall read as**
717 **follows:]**

718 23-15-213. (1) There shall be elected five (5) election
719 commissioners for each county whose terms of office shall commence
720 on the first Monday of January following their election and who
721 shall serve for a term of four (4) years. Each of the
722 commissioners shall be required to attend a training seminar
723 provided by the Secretary of State and satisfactorily complete a
724 skills assessment * * *. The Secretary of State shall ensure that
725 the training seminar includes instructions to commissioners on the
726 proper performance of their duties with regard to persons are
727 restored the right of suffrage as provided in Section 1 of this



728 act. Before acting, each of the commissioners shall take and
729 subscribe the oath of office prescribed by the Constitution. The
730 oath shall be filed in the office of the clerk of the chancery
731 court. Upon filing the oath of office, the election commissioner
732 may be provided access to the Statewide Elections Management
733 System for the purpose of performing his or her duties. While
734 engaged in their duties, the commissioners shall be conservators
735 of the peace in the county, with all the duties and powers of
736 such.

737 (2) (a) At the general election in 2024 and every four (4)
738 years thereafter, the qualified electors of the board of
739 supervisors' Districts One, Three and Five shall elect in their
740 district one (1) election commissioner.

741 (b) At the general election in 2023 and every four (4)
742 years thereafter, the qualified electors of the board of
743 supervisors' Districts Two and Four shall elect in their district
744 one (1) election commissioner.

745 (c) No more than one (1) commissioner shall be a
746 resident of and reside in each supervisors district of the county;
747 it being the purpose of this section that the county board of
748 election commissioners shall consist of one (1) person from each
749 supervisors district of the county and that each commissioner be
750 elected from the supervisors district in which he or she resides.

751 (3) Candidates for county election commissioner shall
752 qualify by filing with the clerk of the board of supervisors of



753 their respective counties a petition personally signed by not less
754 than fifty (50) qualified electors of the supervisors district in
755 which they reside, requesting that they be a candidate, by 5:00
756 p.m. not later than the first Monday in June of the year in which
757 the election occurs and unless the petition is filed within the
758 required time, their names shall not be placed upon the ballot.
759 All candidates shall declare in writing their party affiliation,
760 if any, to the board of supervisors, and such party affiliation
761 shall be shown on the official ballot.

762 (4) The petition shall have attached thereto a certificate
763 of the county registrar showing the number of qualified electors
764 on each petition, which shall be furnished by the registrar on
765 request. The board shall determine the sufficiency of the
766 petition, and if the petition contains the required number of
767 signatures and is filed within the time required, the president of
768 the board shall verify that the candidate is a resident of the
769 supervisors district in which he or she seeks election and that
770 the candidate is otherwise qualified as provided by law, and shall
771 certify that the candidate is qualified to the chair or secretary
772 of the county election commission and the names of the candidates
773 shall be placed upon the ballot for the ensuing election. No
774 county election commissioner shall serve or be considered as
775 elected until he or she has received a majority of the votes cast
776 for the position or post for which he or she is a candidate. If a
777 majority vote is not received in the first election, then the two



778 (2) candidates receiving the most votes for each position or post
779 shall be placed upon the ballot for a second election to be held
780 three (3) weeks later in accordance with appropriate procedures
781 followed in other elections involving runoff candidates.

782 (5) In the first meeting in January of each year, the county
783 election commissioners shall organize by electing a chair and a
784 secretary, who shall serve a one * * * -year term. The county
785 election commissioners shall provide the names of the chair and
786 secretary to the Secretary of State and provide notice of any
787 change in officers which may occur during the year.

788 (6) It shall be the duty of the chair to have the official
789 ballot printed and distributed at each general or special
790 election.

791 **SECTION 10.** Section 23-15-223, Mississippi Code of 1972, is
792 amended as follows:

793 23-15-223. (1) The State Board of Election Commissioners,
794 on or before the fifteenth day of February succeeding each general
795 election, shall appoint in the several counties registrars of
796 elections, who shall hold office for four (4) years and until
797 their successors shall be duly qualified. The county registrar
798 shall be the clerk of the circuit court, unless the State Board of
799 Election Commissioners finds the circuit clerk to be an improper
800 person to register the names of the electors in the county. The
801 State Board of Election Commissioners shall draft rules and
802 regulations to provide for notice and hearing before removal of



803 the circuit clerk, if notice and a hearing is practicable under
804 the circumstances.

805 (2) The county registrar is empowered to appoint deputy
806 registrars, with the consent of the board of election
807 commissioners, who may discharge the duties of the registrar.

808 The clerk of every municipality shall be appointed as such a
809 deputy registrar, as contemplated by the National Voter
810 Registration Act (NVRA).

811 (3) The county registrar shall not be held liable for any
812 malfeasance or nonfeasance in office by any deputy registrar who
813 is a deputy registrar by virtue of his or her office.

814 (4) (a) The Secretary of State, in conjunction with the
815 State Board of Community and Junior Colleges, * * * shall develop
816 and make available online a computer skills training course for
817 all newly appointed registrars that shall be completed within one
818 hundred eighty (180) days of the commencement of their term of
819 office. On or before August 1, 2019, the Secretary of State shall
820 develop and make available online a training course for all
821 registrars that shall be completed by them on an annual basis.
822 The training seminar shall include instructions to registrars on
823 the proper performance of their duties with regard to persons who
824 are restored the right of suffrage as provided in Section 1 of
825 this act.

826 **SECTION 11.** Section 23-15-239, Mississippi Code of 1972, is
827 amended as follows:



828 **[Until January 1, 2020, this section shall read as follows:]**

829 23-15-239. (1) The executive committee of each county, in
830 the case of a primary election, or the election commissioners of
831 each county, in the case of all other elections, in conjunction
832 with the circuit clerk, shall, in the years in which counties
833 conduct an election, sponsor and conduct, not less than five (5)
834 days before each election, not less than four (4) hours and not
835 more than eight (8) hours of poll manager training to instruct
836 poll managers as to their duties in the proper administration of
837 the election * * *, the operation of the polling place and the
838 proper performance of their duties with regard to persons who are
839 restored the right of suffrage as provided in Section 1 of this
840 act. Any poll manager who completes the online training course
841 provided by the Secretary of State shall only be required to
842 complete two (2) hours of in-person poll manager training. No
843 poll manager shall serve in any election unless he or she has
844 received these instructions once during the twelve (12) months
845 immediately preceding the date upon which the election is held;
846 however, nothing in this section shall prevent the appointment of
847 an alternate poll manager to fill a vacancy in case of an
848 emergency. The county executive committee or the election
849 commissioners, as appropriate, shall train a sufficient number of
850 alternates to serve in the event a poll manager is unable to serve
851 for any reason.



852 (2) (a) If it is eligible under Section 23-15-266, the
853 county executive committee may enter into a written agreement with
854 the circuit clerk or the county election commission authorizing
855 the circuit clerk or the county election commission to perform any
856 of the duties required of the county executive committee pursuant
857 to this section. Any agreement entered into pursuant to this
858 subsection shall be signed by the chair of the county executive
859 committee and the circuit clerk or the chair of the county
860 election commission, as appropriate. The county executive
861 committee shall notify the state executive committee and the
862 Secretary of State of the existence of the agreement.

863 (b) If it is eligible under Section 23-15-266, the
864 municipal executive committee may enter into a written agreement
865 with the municipal clerk or the municipal election commission
866 authorizing the municipal clerk or the municipal election
867 commission to perform any of the duties required of the municipal
868 executive committee pursuant to this section. Any agreement
869 entered into pursuant to this subsection shall be signed by the
870 chair of the municipal executive committee and the municipal clerk
871 or the chair of the municipal election commission, as appropriate.
872 The municipal executive committee shall notify the state executive
873 committee and the Secretary of State of the existence of the
874 agreement.

875 (3) The board of supervisors and the municipal governing
876 authority, in their discretion, may compensate poll managers who



877 attend these training sessions. The compensation shall be at a
878 rate of not less than the federal hourly minimum wage nor more
879 than Twelve Dollars (\$12.00) per hour. Poll managers shall not be
880 compensated for more than sixteen (16) hours of attendance at the
881 training sessions regardless of the actual amount of time that
882 they attended the training sessions.

883 (4) The time and location of the training sessions required
884 pursuant to this section shall be announced to the general public
885 by posting a notice thereof at the courthouse and by delivering a
886 copy of the notice to the office of a newspaper having general
887 circulation in the county five (5) days before the date upon which
888 the training session is to be conducted. Persons who will serve
889 as poll watchers for candidates and political parties, as well as
890 members of the general public, shall be allowed to attend the
891 sessions.

892 (5) Subject to the following annual limitations, the
893 election commissioners shall be entitled to receive a per diem in
894 the amount of One Hundred Dollars (\$100.00), to be paid from the
895 county general fund, for every day or period of no less than five
896 (5) hours accumulated over two (2) or more days actually employed
897 in the performance of their duties for the necessary time spent in
898 conducting training sessions as required by this section:

899 (a) In counties having less than fifteen thousand
900 (15,000) residents according to the latest federal decennial
901 census, not more than five (5) days per year;



902 (b) In counties having fifteen thousand (15,000)
903 residents according to the latest federal decennial census but
904 less than thirty thousand (30,000) residents according to the
905 latest federal decennial census, not more than eight (8) days per
906 year;

907 (c) In counties having thirty thousand (30,000)
908 residents according to the latest federal decennial census but
909 less than seventy thousand (70,000) residents according to the
910 latest federal decennial census, not more than ten (10) days per
911 year;

912 (d) In counties having seventy thousand (70,000)
913 residents according to the latest federal decennial census but
914 less than ninety thousand (90,000) residents according to the
915 latest federal decennial census, not more than twelve (12) days
916 per year;

917 (e) In counties having ninety thousand (90,000)
918 residents according to the latest federal decennial census but
919 less than one hundred seventy thousand (170,000) residents
920 according to the latest federal decennial census, not more than
921 fifteen (15) days per year;

922 (f) In counties having one hundred seventy thousand
923 (170,000) residents according to the latest federal decennial
924 census but less than two hundred thousand (200,000) residents
925 according to the latest federal decennial census, not more than
926 eighteen (18) days per year;



927 (g) In counties having two hundred thousand (200,000)
928 residents according to the latest federal decennial census but
929 less than two hundred twenty-five thousand (225,000) residents
930 according to the latest federal decennial census, not more than
931 nineteen (19) days per year;

932 (h) In counties having two hundred twenty-five thousand
933 (225,000) residents or more according to the latest federal
934 decennial census, not more than twenty-two (22) days per year.

935 (6) Election commissioners shall claim the per diem
936 authorized in subsection (5) of this section in the manner
937 provided for in Section 23-15-153(6).

938 (7) (a) To provide poll manager training, the Secretary of
939 State * * * shall develop a single, comprehensive poll manager
940 training program to ensure uniform, secure elections throughout
941 the state. The program * * * shall include online training on all
942 state and federal election laws and procedures * * *, voting
943 machine opening and closing procedures, and the poll managers'
944 duties with regard to persons who are restored the right of
945 suffrage as provided in Section 1 of this act.

946 (b) County election commissioners shall designate one
947 (1) poll manager per precinct, who shall individually access and
948 complete the online training program, including all skills
949 assessments, at least five (5) days before an election. The poll
950 manager shall be defined as a "certified poll manager," and
951 entitled to a "Certificate of Completion" and compensation for the



952 successful completion of the training and skills assessment in the
953 amount of Twenty-five Dollars (\$25.00) payable from the Secretary
954 of State. Compensation paid to any poll manager under this
955 paragraph (b) shall not exceed Twenty-five Dollars (\$25.00) per
956 calendar year.

957 (c) Every election held after January 1, 2018, shall
958 have at least one (1) certified poll manager appointed by the
959 county election officials to work in each polling place in the
960 county during each general election.

961 **[From and after January 1, 2020, this section shall read as**
962 **follows:]**

963 23-15-239. (1) The executive committee of each county, in
964 the case of a primary election, or the election commissioners of
965 each county, in the case of all other elections, in conjunction
966 with the circuit clerk, shall, in the years in which counties
967 conduct an election, sponsor and conduct, not less than five (5)
968 days before each election, not less than four (4) hours and not
969 more than eight (8) hours of poll manager training to instruct
970 poll managers as to their duties in the proper administration of
971 the election * * *, the operation of the polling place, and the
972 poll managers' duties with regard to persons who are restored the
973 right of suffrage as provided in Section 1 of this act. Any poll
974 manager who completes the online training course provided by the
975 Secretary of State shall only be required to complete two (2)
976 hours of in-person poll manager training. No poll manager shall



977 serve in any election unless he or she has received these
978 instructions once during the twelve (12) months immediately
979 preceding the date upon which the election is held; however,
980 nothing in this section shall prevent the appointment of an
981 alternate poll manager to fill a vacancy in case of an emergency.
982 The county executive committee or the election commissioners, as
983 appropriate, shall train a sufficient number of alternates to
984 serve in the event a poll manager is unable to serve for any
985 reason.

986 (2) (a) If it is eligible under Section 23-15-266, the
987 county executive committee may enter into a written agreement with
988 the circuit clerk or the county election commission authorizing
989 the circuit clerk or the county election commission to perform any
990 of the duties required of the county executive committee pursuant
991 to this section. Any agreement entered into pursuant to this
992 subsection shall be signed by the chair of the county executive
993 committee and the circuit clerk or the chair of the county
994 election commission, as appropriate. The county executive
995 committee shall notify the state executive committee and the
996 Secretary of State of the existence of the agreement.

997 (b) If it is eligible under Section 23-15-266, the
998 municipal executive committee may enter into a written agreement
999 with the municipal clerk or the municipal election commission
1000 authorizing the municipal clerk or the municipal election
1001 commission to perform any of the duties required of the municipal



1002 executive committee pursuant to this section. Any agreement
1003 entered into pursuant to this subsection shall be signed by the
1004 chair of the municipal executive committee and the municipal clerk
1005 or the chair of the municipal election commission, as appropriate.
1006 The municipal executive committee shall notify the state executive
1007 committee and the Secretary of State of the existence of the
1008 agreement.

1009 (3) The board of supervisors and the municipal governing
1010 authority, in their discretion, may compensate poll managers who
1011 attend these training sessions. The compensation shall be at a
1012 rate of not less than the federal hourly minimum wage nor more
1013 than Twelve Dollars (\$12.00) per hour. Poll managers shall not be
1014 compensated for more than sixteen (16) hours of attendance at the
1015 training sessions regardless of the actual amount of time that
1016 they attended the training sessions.

1017 (4) The time and location of the training sessions required
1018 pursuant to this section shall be announced to the general public
1019 by posting a notice thereof at the courthouse and by delivering a
1020 copy of the notice to the office of a newspaper having general
1021 circulation in the county five (5) days before the date upon which
1022 the training session is to be conducted. Persons who will serve
1023 as poll watchers for candidates and political parties, as well as
1024 members of the general public, shall be allowed to attend the
1025 sessions.



1026 (5) Subject to the following annual limitations, the
1027 election commissioners shall be entitled to receive a per diem in
1028 the amount of One Hundred Dollars (\$100.00), to be paid from the
1029 county general fund, for every day or period of no less than five
1030 (5) hours accumulated over two (2) or more days actually employed
1031 in the performance of their duties for the necessary time spent in
1032 conducting training sessions as required by this section:

1033 (a) In counties having less than fifteen thousand
1034 (15,000) residents according to the latest federal decennial
1035 census, not more than five (5) days per year;

1036 (b) In counties having fifteen thousand (15,000)
1037 residents according to the latest federal decennial census but
1038 less than thirty thousand (30,000) residents according to the
1039 latest federal decennial census, not more than eight (8) days per
1040 year;

1041 (c) In counties having thirty thousand (30,000)
1042 residents according to the latest federal decennial census but
1043 less than seventy thousand (70,000) residents according to the
1044 latest federal decennial census, not more than ten (10) days per
1045 year;

1046 (d) In counties having seventy thousand (70,000)
1047 residents according to the latest federal decennial census but
1048 less than ninety thousand (90,000) residents according to the
1049 latest federal decennial census, not more than twelve (12) days
1050 per year;



1051 (e) In counties having ninety thousand (90,000)
1052 residents according to the latest federal decennial census but
1053 less than one hundred seventy thousand (170,000) residents
1054 according to the latest federal decennial census, not more than
1055 fifteen (15) days per year;

1056 (f) In counties having one hundred seventy thousand
1057 (170,000) residents according to the latest federal decennial
1058 census but less than two hundred thousand (200,000) residents
1059 according to the latest federal decennial census, not more than
1060 eighteen (18) days per year;

1061 (g) In counties having two hundred thousand (200,000)
1062 residents according to the latest federal decennial census but
1063 less than two hundred twenty-five thousand (225,000) residents
1064 according to the latest federal decennial census, not more than
1065 nineteen (19) days per year;

1066 (h) In counties having two hundred twenty-five thousand
1067 (225,000) residents or more according to the latest federal
1068 decennial census, not more than twenty-two (22) days per year.

1069 (6) Election commissioners shall claim the per diem
1070 authorized in subsection (5) of this section in the manner
1071 provided for in Section 23-15-153(6).

1072 (7) (a) To provide poll manager training, the Secretary of
1073 State * * * shall develop a single, comprehensive poll manager
1074 training program to ensure uniform, secure elections throughout
1075 the state. The program * * * shall include online training on all



1076 state and federal election laws and procedures * * *, voting
1077 machine opening and closing procedures, and the poll managers'
1078 duties with regard to persons who are restored the right of
1079 suffrage as provided in Section 1 of this act.

1080 (b) County poll managers who individually access and
1081 complete the online training program, including all skills
1082 assessments, at least five (5) days before an election shall be
1083 defined as "certified poll managers," and entitled to a
1084 "Certificate of Completion."

1085 (c) At least one (1) certified poll manager shall be
1086 appointed by the county election officials to work in each polling
1087 place in the county during each general election.

1088 **SECTION 12.** Section 23-15-165, Mississippi Code of 1972, is
1089 amended as follows:

1090 23-15-165. (1) The Office of the Secretary of State, in
1091 cooperation with the county registrars and election commissioners,
1092 shall procure, implement and maintain an electronic information
1093 processing system and programs capable of maintaining a
1094 centralized database of all registered voters in the state. The
1095 system shall encompass software and hardware, at both the state
1096 and county level, software development training, conversion and
1097 support and maintenance for the system. This system shall be
1098 known as the "Statewide Elections Management System" and shall
1099 constitute the official record of registered voters in every
1100 county of the state.



1101 (2) The Office of the Secretary of State shall develop and
1102 implement the Statewide Elections Management System so that the
1103 registrar and election commissioners of each county shall:

1104 (a) Verify that an applicant that is registering to
1105 vote in that county is not registered to vote in another county;

1106 (b) Be notified automatically that a registered voter
1107 in its county has registered to vote in another county;

1108 (c) Receive regular reports of death * * * and changes
1109 of address * * * that apply to voters registered in the
1110 county; * * *

1111 (d) Receive regular reports on the names of persons
1112 convicted of disenfranchising crimes in the county. The reports
1113 shall:

1114 (i) Be derived from accurate and updated sources,
1115 including, but not limited to, the online databases maintained by
1116 the Mississippi Department of Corrections and the Mississippi
1117 Parole Board; and

1118 (ii) Indicate whether the sentencing court imposed
1119 a term of incarceration or probation upon conviction of such
1120 crime; and

1121 (* * * e) Retain all present functionality related to,
1122 but not limited to, the use of voter roll data and to implement
1123 such other functionality as the law requires to enhance the
1124 maintenance of accurate county voter records and related jury
1125 selection and redistricting programs.



1126 (3) As a part of the procurement and implementation of the
1127 system, the Office of the Secretary of State shall, with the
1128 assistance of the advisory committee, procure services necessary
1129 to convert current voter registration records in the counties into
1130 a standard, industry accepted file format that can be used on the
1131 Statewide Elections Management System. Thereafter, all official
1132 voter information shall be maintained on the Statewide Elections
1133 Management System. The standard industry accepted format of data
1134 was reviewed and approved by a majority of the advisory committee
1135 created in subsection (5) of this section after consultation with
1136 the Circuit Clerks Association and the format may not be changed
1137 without consulting the Circuit Clerks Association.

1138 (4) The Secretary of State may, with the assistance of the
1139 advisory committee, adopt rules and regulations necessary to
1140 administer the Statewide Elections Management System. The rules
1141 and regulations shall at least:

1142 (a) Provide for the establishment and maintenance of a
1143 centralized database for all voter registration information in the
1144 state;

1145 (b) Provide procedures for integrating data into the
1146 centralized database;

1147 (c) Provide security to ensure that only the registrar,
1148 or his or her designee or other appropriate official, as the law
1149 may require, can add information to, delete information from and
1150 modify information in the system;



1151 (d) Provide the registrar or his or her designee or
1152 other appropriate official, as the law may require, access to the
1153 system at all times, including the ability to download copies of
1154 the industry standard file, for all purposes related to their
1155 official duties, including, but not limited to, exclusive access
1156 for the purpose of printing all local pollbooks;

1157 (e) Provide security and protection of all information
1158 in the system and monitor the system to ensure that unauthorized
1159 access is not allowed;

1160 (f) Provide a procedure that will allow the registrar,
1161 or his or her designee or other appropriate official, as the law
1162 may require, to identify the precinct to which a voter should be
1163 assigned; and

1164 (g) Provide a procedure for phasing in or converting
1165 existing manual and computerized voter registration systems in
1166 counties to the Statewide Elections Management System.

1167 (5) The Secretary of State established an advisory committee
1168 to assist in developing system specifications, procurement,
1169 implementation and maintenance of the Statewide Elections
1170 Management System. The committee included two (2) representatives
1171 from the Circuit Clerks Association, appointed by the association;
1172 two (2) representatives from the Election Commissioners
1173 Association of Mississippi, appointed by the association; one (1)
1174 member of the Mississippi Association of Supervisors, or its
1175 staff, appointed by the association; the Director of the Stennis



1176 Institute of Government at Mississippi State University, or his or
1177 her designee; the Executive Director of the Department of
1178 Information Technology Services, or his or her designee; two (2)
1179 persons knowledgeable about elections and information technology
1180 appointed by the Secretary of State; and the Secretary of State,
1181 who shall serve as the chair of the advisory committee.

1182 (6) (a) Social security numbers, telephone numbers and date
1183 of birth and age information in statewide, district, county and
1184 municipal voter registration files shall be exempt from and shall
1185 not be subject to inspection, examination, copying or reproduction
1186 under the Mississippi Public Records Act of 1983.

1187 (b) Copies of statewide, district, county or municipal
1188 voter registration files, excluding social security numbers,
1189 telephone numbers and date of birth and age information, shall be
1190 provided to any person in accordance with the Mississippi Public
1191 Records Act of 1983 at a cost not to exceed the actual cost of
1192 production.

1193 **SECTION 13.** Section 23-15-573, Mississippi Code of 1972, is
1194 brought forward as follows:

1195 23-15-573. (1) If any person declares that he or she is a
1196 registered voter in the jurisdiction in which he or she offers to
1197 vote and that he or she is eligible to vote in the election, but
1198 his or her name does not appear upon the pollbooks, or that he or
1199 she is not able to cast a regular election day ballot under a
1200 provision of state or federal law but is otherwise qualified to



1201 vote, or that he or she has been illegally denied registration, or
1202 that he or she is unable to present an acceptable form of photo
1203 identification:

1204 (a) A poll manager shall notify the person that he or
1205 she may cast an affidavit ballot at the election.

1206 (b) The person shall be permitted to cast an affidavit
1207 ballot at the polling place upon execution of a written affidavit
1208 before one (1) of the poll managers stating that the individual:

1209 (i) Believes he or she is a registered voter in
1210 the jurisdiction in which he or she desires to vote and is
1211 eligible to vote in the election; or

1212 (ii) Is not able to cast a regular election day
1213 ballot under a provision of state or federal law but is otherwise
1214 qualified to vote; or

1215 (iii) Believes that he or she has been illegally
1216 denied registration; or

1217 (iv) Is unable to present an acceptable form of
1218 photo identification.

1219 (c) The poll manager shall allow the individual to mark
1220 a paper ballot properly endorsed by the initialing poll manager or
1221 alternate initialing poll manager in accordance with Section
1222 23-15-541, which shall be delivered by him or her to the proper
1223 election official who shall enclose it in an affidavit ballot
1224 envelope, with the written and signed affidavit of the voter



1225 affixed to the envelope, seal the envelope and mark plainly upon
1226 it the name of the person offering to vote.

1227 (2) The affidavit ballot envelope shall include:

1228 (a) The complete name of the voter;

1229 (b) A present and previous physical and mailing address
1230 of the voter;

1231 (c) Telephone numbers where the voter may be contacted;

1232 (d) A statement that the affiant believes he or she is
1233 registered to vote in the jurisdiction in which he or she offers
1234 to vote;

1235 (e) The signature of the affiant; and

1236 (f) The signature of the poll manager at the polling
1237 place at which the affiant offers to vote.

1238 (3) (a) A separate receipt book shall be maintained for
1239 affidavit voters and the affidavit voters shall sign the receipt
1240 book upon completing the affidavit ballot.

1241 (b) If the affidavit voter is casting an affidavit
1242 ballot because the voter is unable to present an acceptable form
1243 of photo identification and the voter's name appears in the
1244 pollbook, then the poll manager shall write "NO ID" across from
1245 the voter's name and in the appropriate column in the pollbook.

1246 (c) In canvassing the returns of the election, the
1247 executive committee in primary elections, or the election
1248 commissioners in other elections, shall examine the records and



1249 allow the ballot to be counted, or not counted as it appears
1250 legal.

1251 (d) An affidavit ballot of a voter who was unable to
1252 present an acceptable form of photo identification shall not be
1253 rejected for this reason if the voter does either of the
1254 following:

1255 (i) Returns to the circuit clerk's office, or to
1256 the municipal clerk's office for municipal elections, within five
1257 (5) business days after the date of the election and presents an
1258 acceptable form of photo identification;

1259 (ii) Returns to the circuit clerk's office within
1260 five (5) business days after the date of the election to obtain
1261 the Mississippi Voter Identification Card, or in municipal
1262 election, returns to the municipal clerk's office within five (5)
1263 business days after the date of the election to present his or her
1264 Mississippi Voter Identification Card or Temporary Mississippi
1265 Voter Identification Card; or

1266 (iii) Returns to the circuit clerk's office, or to
1267 the municipal clerk's office for municipal elections, within five
1268 (5) business days after the date of the election to execute a
1269 separate Affidavit of Religious Objection.

1270 (4) When a person is offered the opportunity to vote by
1271 affidavit ballot, he or she shall be provided with written
1272 information that informs the person how to ascertain whether his



1273 or her affidavit ballot was counted and, if the vote was not
1274 counted, the reasons the vote was not counted.

1275 (5) The officials in charge of the election shall process
1276 all affidavit ballots by using the Statewide Elections Management
1277 System. The officials in charge of the election shall account for
1278 all affidavit ballots cast in each election, categorizing the
1279 affidavit ballots cast by reason and recording the total number of
1280 affidavit ballots counted and not counted in each such category in
1281 the Statewide Elections Management System.

1282 (6) The Secretary of State shall, by rule duly adopted,
1283 establish a uniform affidavit ballot envelope that shall be used
1284 in all elections in this state. The Secretary of State shall
1285 print and distribute a sufficient number of affidavit ballot
1286 envelopes to the registrar of each county for use in elections.
1287 The registrar shall distribute the affidavit ballot envelopes to
1288 municipal and county executive committees for use in primary
1289 elections and to municipal and county election commissioners for
1290 use in all other elections.

1291 (7) County registrars and municipal registrars shall
1292 maintain a secure free access system that complies with the Help
1293 America Vote Act of 2002, by which persons who vote by affidavit
1294 ballot may determine if their ballots were counted, and if not,
1295 the reasons the ballot was not counted.

1296 (8) Any person who votes in any election as a result of a
1297 federal or state court order or other order extending the time



1298 established by law for closing the polls on an election day, may
1299 only vote by affidavit ballot. Any affidavit ballot cast under
1300 this subsection shall be separated and kept apart from other
1301 affidavit ballots cast by voters not affected by the order.

1302 **SECTION 14.** This act shall take effect and be in force from
1303 and after its passage.

