

By: Senator(s) Branning, Tate

To: Elections;
Accountability, Efficiency,
Transparency

SENATE BILL NO. 2670

1 AN ACT TO CODIFY SECTION 23-15-153.1, MISSISSIPPI CODE OF
 2 1972, TO AUTHORIZE AND DIRECT THE SECRETARY OF STATE TO ENTER INTO
 3 A MEMORANDUM OF UNDERSTANDING TO COMPARE THE STATEWIDE ELECTIONS
 4 MANAGEMENT SYSTEM (SEMS) WITH PUBLIC RECORDS TO ENSURE NON-UNITED
 5 STATES CITIZENS ARE NOT REGISTERED TO VOTE IN THIS STATE, TO
 6 PROVIDE THAT IF EVIDENCE EXISTS THAT A PARTICULAR REGISTERED VOTER
 7 IS NOT A CITIZEN THE SYSTEM SHALL NOTIFY THE REGISTRAR WHO SHALL
 8 NOTIFY THE REGISTERED VOTER TO PROVIDE PROOF OF CITIZENSHIP, TO
 9 PRESCRIBE CRITERIA FOR PROOF OF CITIZENSHIP, TO PROVIDE THAT IF
 10 THE VOTER DOES NOT PROVIDE SUCH PROOF THE REGISTRAR SHALL PURGE
 11 HIS NAME FROM THE SYSTEM, TO PROVIDE FOR AN APPEAL FROM SUCH
 12 DECISION, AND TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE
 13 RULES AND REGULATIONS TO IMPLEMENT THIS ACT; AND FOR RELATED
 14 PURPOSES.

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

16 **SECTION 1.** The following shall be codified as Section
 17 23-15-153.1, Mississippi Code of 1972:

18 23-15-153.1 **Voter's proof of citizenship.** (1) The
 19 Statewide Election Management System shall be compared with the
 20 state's identification databases to ensure non-United States
 21 citizens are not registered to vote in this state. The Secretary
 22 of State is authorized to enter into a memorandum of understanding
 23 to compare the Statewide Elections Management System with relevant
 24 federal and state agencies and county records for the same



25 purpose. If evidence exists that a particular registered voter is
26 not a citizen of the United States, the Statewide Election
27 Management System shall notify the registrar, or his or her
28 designee, where the person registered to vote that the registered
29 voter may not be a citizen of the United States.

30 (2) After receiving such notice, the registrar, or his or
31 her designee, shall send a notice to the registered voter
32 inquiring whether the individual is eligible to be registered to
33 vote. Any registered voter who receives the notice shall, within
34 thirty (30) days of the receipt of such notice, provide proof of
35 citizenship to the registrar or his or her designee. For purposes
36 of this subsection (2), proof of citizenship includes:

37 (a) The voter's birth certificate or a legible
38 photocopy of the birth certificate;

39 (b) A United States passport, or a legible photocopy of
40 the pertinent pages of the passport, identifying the voter and
41 showing the passport number;

42 (c) The voter's United States naturalization
43 documentation, a legible photocopy of the naturalization
44 documentation, or the number of the voter's certificate of
45 naturalization; except that any person who provides the number of
46 the certificate of naturalization in lieu of the naturalization
47 documentation shall not be deemed to have provided proof of
48 citizenship until the Secretary of State verifies the number with



49 the United States citizenship and immigration services in the
50 Department of Homeland Security or its successor; or

51 (d) Any document or method of proof of citizenship
52 established by the federal Immigration Reform and Control Act of
53 1986, Public Law 99-603, compiled in 8 U.S.C. Section 1101 et seq.

54 (3) If the registered voter does not provide proof of
55 citizenship within thirty (30) days of the receipt of the
56 notification, the registrar of the county, or his or her designee,
57 where the person registered to vote shall purge the voter from the
58 Statewide Elections Management System.

59 (4) In the event a person is unable to provide any
60 documentation included in subsection (2) of this section to show
61 proof of citizenship, the person may appeal to the board of
62 election commissioners of the county in which he or she attempted
63 to register and submit additional proof of citizenship in person
64 or in writing. The board of election commissioners shall conduct
65 a hearing and make a finding concerning the individual's
66 citizenship status and shall forward a copy of their decision to
67 the registrar, or his or her designee, of the county where the
68 person resides as established in Section 23-15-61, Mississippi
69 Code of 1972. The Statewide Elections Management System shall be
70 changed by the registrar, or his or her designee, to accurately
71 reflect the decision of the Board of Election Commissioners with
72 respect to such voter.



73 (5) All documentation provided to show proof of citizenship
74 as well as the department of safety database or relevant federal
75 and state agency and county records shall be confidential and
76 shall not be available for inspection by the public.

77 (6) The Secretary of State shall adopt rules and regulations
78 for the administration of this section.

79 **SECTION 2.** This act shall take effect and be in force from
80 and after July 1, 2020.

