

By: Senator(s) Simmons (12th)

To: Elections; Constitution

SENATE BILL NO. 2231

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 primary, runoff,
311 general or special election. The annual limitations set forth in
312 subsection (2) of this section shall apply to this paragraph.

313 (c) The board of supervisors may, in its discretion,
314 pay the election commissioners an additional amount not to exceed
315 Fifty Dollars (\$50.00) for the performance of their duties at any
316 election occurring from July 1, 2020, through December 31, 2020,
317 which shall be considered additional pandemic pay. Such
318 compensation shall be payable out of the county general fund, and
319 may be payable from federal funds available for such purpose, or a
320 combination of both funding sources.

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

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



334 (7) In preparation for a municipal primary, runoff, general
335 or special election, the county registrar shall generate and
336 distribute the master voter roll and pollbooks from the Statewide
337 Elections Management System for the municipality located within
338 the county. The municipality shall pay the county registrar for
339 the actual cost of preparing and printing the municipal master
340 voter roll pollbooks. A municipality may secure "read only"
341 access to the Statewide Elections Management System and print its
342 own pollbooks using this information.

343 (8) County election commissioners who perform the duties of
344 an executive committee with regard to the conduct of a primary
345 election under a written agreement authorized by law to be entered
346 into with an executive committee shall receive per diem as
347 provided for in subsection (2) of this section. The days that
348 county election commissioners are employed in the conduct of a
349 primary election shall be treated the same as days county election
350 commissioners are employed in the conduct of other elections.

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

355 (10) Every election commissioner shall sign personally a
356 certification setting forth the number of hours actually worked in
357 the performance of the commissioner's official duties and for
358 which the commissioner seeks compensation. The certification must



359 be on a form as prescribed in this subsection. The commissioner's
 360 signature is, as a matter of law, made under the commissioner's
 361 oath of office and under penalties of perjury.

362 The certification form shall be as follows:

363 **COUNTY ELECTION COMMISSIONER**

364 **PER DIEM CLAIM FORM**

365 NAME: _____ COUNTY: _____

366 ADDRESS: _____ DISTRICT: _____

367 CITY: _____ ZIP: _____

368		PURPOSE	APPLICABLE	ACTUAL	PER DIEM
369	DATE	BEGINNING	ENDING	OF	MS CODE
370	WORKED	TIME	TIME	WORK	SECTION
371					
372					
373					

374 TOTAL NUMBER OF PER DIEM DAYS EARNED

375 EXCLUDING ELECTION DAYS _____

376 PER DIEM RATE PER DAY EARNED X \$100.00

377 TOTAL NUMBER PER DIEM DAYS EARNED

378 FOR ELECTION DAYS _____

379 PER DIEM RATE PER DAY EARNED X \$150.00

380 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

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



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

386 Signed this the _____ day of _____, ____.

387 _____

388 Commissioner's Signature

389 When properly completed and signed, the certification must be
390 filed with the clerk of the county board of supervisors before any
391 payment may be made. The certification will be a public record
392 available for inspection and reproduction immediately upon the
393 oral or written request of any person.

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



407 commission, the clerk of the board of supervisors or the board of
408 supervisors, as the case may be.

409 Any contestor who successfully contests any certification
410 will be awarded all expenses incident to his or her contest,
411 together with reasonable attorney's fees, which will be awarded
412 upon petition to the chancery court of the involved county upon
413 final disposition of the contest before the election commission,
414 board of supervisors, clerk of the board of supervisors, or, in
415 case of an appeal, final disposition by the court. The
416 commissioner against whom the contest is decided shall be liable
417 for the payment of the expenses and attorney's fees, and the
418 county shall be jointly and severally liable for same.

419 (11) Any election commissioner who has not received a
420 certificate issued by the Secretary of State pursuant to Section
421 23-15-211 indicating that the election commissioner has received
422 the required elections seminar instruction and that the election
423 commissioner is fully qualified to conduct an election, shall not
424 receive any compensation authorized by this section or Section
425 23-15-239.

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

428 23-15-39. (1) Applications for registration as electors of
429 this state, which are sworn to and subscribed before the registrar
430 or deputy registrar authorized by law and which are not made by
431 mail, shall be made upon a form established by rule duly adopted



432 by the Secretary of State. The application shall state that a
433 person who has been restored the right of suffrage as provided in
434 Section 1 of this act is not disqualified to register to vote
435 pursuant to Section 23-15-11.

436 (2) The boards of supervisors shall make proper allowances
437 for office supplies reasonably necessitated by the registration of
438 county electors.

439 (3) If the applicant indicates on the application that he or
440 she resides within the city limits of a city or town in the county
441 of registration, the county registrar shall process the
442 application for registration or changes to the registration as
443 provided by law.

444 (4) If the applicant indicates on the application that he or
445 she has previously registered to vote in another county of this
446 state or another state, notice to the voter's previous county of
447 registration in this state shall be provided by the Statewide
448 Elections Management System. If the voter's previous place of
449 registration was in another state, notice shall be provided to the
450 voter's previous state of residence if the Statewide Elections
451 Management System has that capability.

452 (5) The county registrar shall provide to the person making
453 the application a copy of the application upon which has been
454 written the county voting precinct and municipal voting precinct,
455 if any, in which the person shall vote. Upon entry of the voter
456 registration information into the Statewide Elections Management



457 System, the system shall assign a voter registration number to the
458 person, and the county registrar shall mail the applicant a voter
459 registration card to the mailing address provided on the
460 application.

461 (6) Any person desiring an application for registration may
462 secure an application from the registrar of the county of which he
463 or she is a resident and may take the application with him or her
464 and secure assistance in completing the application from any
465 person of the applicant's choice. It shall be the duty of all
466 registrars to furnish applications for registration to all persons
467 requesting them, and it shall likewise be the registrar's duty to
468 furnish aid and assistance in the completing of the application
469 when requested by an applicant. The application for registration
470 shall be sworn to and subscribed before the registrar or deputy
471 registrar at the municipal clerk's office, the county registrar's
472 office or any other location where the applicant is allowed to
473 register to vote. The registrar shall not charge a fee or cost to
474 the applicant for accepting the application or administering the
475 oath or for any other duty imposed by law regarding the
476 registration of electors.

477 (7) If the person making the application is unable to read
478 or write, for reason of disability or otherwise, he or she shall
479 not be required to personally complete the application in writing
480 and execute the oath. In such cases, the registrar or deputy
481 registrar shall read the application and oath to the person and



482 the person's answers thereto shall be recorded by the registrar or
483 the registrar's deputy. The person shall be registered as an
484 elector if he or she otherwise meets the requirements to be
485 registered as an elector. The registrar shall record the
486 responses of the person and the recorded responses shall be
487 retained permanently by the registrar. The county registrar shall
488 enter the voter registration information into the Statewide
489 Elections Management System and designate the entry as an assisted
490 filing.

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

495 (9) In any case in which the corporate boundaries of a
496 municipality change, whether by annexation or redistricting, the
497 municipal clerk shall, within ten (10) days after approval of the
498 change in corporate boundaries, provide to the county registrar
499 conforming geographic data that is compatible with the Statewide
500 Elections Management System. The data shall be developed by the
501 municipality's use of a standardized format specified by the
502 Statewide Elections Management System. The county registrar,
503 county election commissioner or other county official, who has
504 completed an annual training seminar sponsored by the Secretary of
505 State pertaining to the implementation of new boundary lines in
506 the Statewide Elections Management System and received



507 certification for that training, shall update the municipal
508 boundary information into the Statewide Elections Management
509 System. The Statewide Elections Management System updates the
510 municipal voter registration records and assigns electors to their
511 municipal voting precincts. The county registrar shall forward to
512 the municipal clerk written notification of the additions and
513 changes, and the municipal clerk shall forward to the affected
514 municipal electors written notification of the additions and
515 changes.

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

518 23-15-47. (1) Any person who is qualified to register to
519 vote in the State of Mississippi may register to vote by mail-in
520 application in the manner prescribed in this section.

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

523 (a) Any qualified elector may register to vote by
524 mailing or delivering a completed mail-in application to his or
525 her county registrar at least thirty (30) days before any
526 election; however, if the thirtieth day to register before an
527 election falls on a Sunday or legal holiday, the registration
528 applications submitted on the business day immediately following
529 the Sunday or legal holiday shall be accepted and entered into the
530 Statewide Elections Management System for the purpose of enabling



531 voters to vote in the next election. The postmark date of a
532 mailed application shall be the applicant's date of registration.

533 (b) Upon receipt of a mail-in application, the county
534 registrar shall stamp the application with the date of receipt,
535 and shall verify the application either by matching the
536 applicant's Mississippi driver's license number through the
537 Mississippi Department of Public Safety or by matching the
538 applicant's social security number through the American
539 Association of Motor Vehicle Administrators. Within fourteen (14)
540 days of receipt of a mail-in registration application, the county
541 registrar shall complete action on the application, including any
542 attempts to notify the applicant of the status of his or her
543 application.

544 (c) If the county registrar determines that the
545 applicant is qualified and his or her application is legible and
546 complete, the county registrar shall mail the applicant written
547 notification that the application has been approved, specifying
548 the county voting precinct, municipal voting precinct, if any,
549 polling place and supervisor district in which the person shall
550 vote. This written notification of approval containing the
551 specified information shall be the voter's registration card. The
552 registration card shall be provided by the county registrar to the
553 applicant in accordance with Section 23-15-39. Upon entry of the
554 voter registration information into the Statewide Elections
555 Management System, the system shall assign a voter registration



556 number to the applicant. The assigned voter registration number
557 shall be clearly shown on the written notification of approval.
558 In mailing the written notification, the county registrar shall
559 note the following on the envelope: "DO NOT FORWARD". If any
560 registration notification form is returned as undeliverable, the
561 voter's registration shall be void.

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

564 (i) An incomplete portion of the application makes
565 it impossible for the registrar to determine the eligibility of
566 the applicant to register;

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

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

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

576 (v) The county registrar determines that the
577 applicant is already registered as a qualified elector of the
578 county;

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



581 (e) If the mail-in application of a person is subject
582 to rejection for any of the reasons set forth in paragraph (d)(i)
583 through (iii) of this subsection, and it appears to the county
584 registrar that the defect or omission is of such a minor nature
585 and that any necessary additional information may be supplied by
586 the applicant over the telephone or by further correspondence, the
587 county registrar may write or call the applicant at the telephone
588 number or address, or both, provided on the application. If the
589 county registrar is able to contact the applicant by mail or
590 telephone, the county registrar shall attempt to ascertain the
591 necessary information, and if this information is sufficient for
592 the registrar to complete the application, the applicant shall be
593 registered. If the necessary information cannot be obtained by
594 mail or telephone, or is not sufficient to complete the
595 application within fourteen (14) days of receipt, the county
596 registrar shall give the applicant written notice of the rejection
597 and provide the reason for the rejection. The county registrar
598 shall further inform the applicant that he or she has a right to
599 attempt to register by appearing in person or by filing another
600 mail-in application.

601 (f) If a mail-in application is subject to rejection
602 for the reason stated in paragraph (d)(v) of this subsection and
603 the "present home address" portion of the application is different
604 from the residence address for the applicant found in the
605 Statewide Elections Management System, the mail-in application



606 shall be deemed a written request to update the voter's
607 registration pursuant to Section 23-15-13. The county registrar
608 or the election commissioners shall update the voter's residence
609 address in the Statewide Elections Management System and, if
610 necessary, advise the voter of a change in the location of his or
611 her county or municipal polling place by mailing the voter a new
612 voter registration card.

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

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

624 (b) The Secretary of State shall distribute without
625 charge sufficient forms for application for voter registration by
626 mail to the Commissioner of Public Safety, who shall distribute
627 the forms to each driver's license examining and renewal station
628 in the state, and shall ensure that the forms are regularly
629 available to the public at such stations.



630 (c) Bulk quantities of forms for application for voter
631 registration by mail shall be furnished by the Secretary of State
632 to any person or organization. The Secretary of State shall
633 charge a person or organization the actual cost he or she incurs
634 in providing bulk quantities of forms for application for voter
635 registration to such person or organization.

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

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

643 (7) If the applicant indicates on the application that he or
644 she has previously registered to vote in another county of this
645 state or another state, notice to the voter's previous county of
646 registration in this state shall be provided through the Statewide
647 Elections Management System. If the voter's previous place of
648 registration was in another state, notice shall be provided to the
649 voter's previous state of residence.

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

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



655 [* * * Through December 31, 2022, this section shall read as
656 **follows:]**

657 23-15-213. (1) At the general election in 2020, there shall
658 be elected five (5) election commissioners for each county whose
659 terms of office shall commence on the first Monday of January
660 following their election. Each of the commissioners shall be
661 required to attend a training seminar provided by the Secretary of
662 State and satisfactorily complete a skills assessment * * *. The
663 Secretary of State shall ensure that the training seminar includes
664 instructions to commissioners on the proper performance of their
665 duties with regard to persons who are restored the right of
666 suffrage as provided in Section 1 of this act. Before acting,
667 each of the commissioners shall take and subscribe the oath of
668 office prescribed by the Constitution. The oath shall be filed in
669 the office of the clerk of the chancery court. Upon filing the
670 oath of office, the election commissioner may be provided access
671 to the Statewide Elections Management System for the purpose of
672 performing his or her duties. While engaged in their duties, the
673 commissioners shall be conservators of the peace in the county,
674 with all the duties and powers of such.

675 (2) The qualified electors of each supervisors district
676 shall elect, at the general election in 2020, in their district
677 one (1) election commissioner. The election commissioners from
678 board of supervisors' Districts One, Three and Five shall serve
679 for a term of four (4) years. The election commissioners from



680 board of supervisors' Districts Two and Four shall serve for a
681 term of three (3) years. No more than one (1) commissioner shall
682 be a resident of and reside in each supervisors district of the
683 county; it being the purpose of this section that the county board
684 of election commissioners shall consist of one (1) person from
685 each supervisors district of the county and that each commissioner
686 be elected from the supervisors district in which he or she
687 resides.

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

699 (4) The petition shall have attached thereto a certificate
700 of the county registrar showing the number of qualified electors
701 on each petition, which shall be furnished by the registrar on
702 request. The board shall determine the sufficiency of the
703 petition, and if the petition contains the required number of
704 signatures and is filed within the time required, the president of



705 the board shall verify that the candidate is a resident of the
706 supervisors district in which he or she seeks election and that
707 the candidate is otherwise qualified as provided by law, and shall
708 certify that the candidate is qualified to the chair or secretary
709 of the county election commission and the names of the candidates
710 shall be placed upon the ballot for the ensuing election. No
711 county election commissioner shall serve or be considered as
712 elected until he or she has received a majority of the votes cast
713 for the position or post for which he or she is a candidate. If a
714 majority vote is not received in the first election, then the two
715 (2) candidates receiving the most votes for each position or post
716 shall be placed upon the ballot for a second election to be held
717 three (3) weeks later in accordance with appropriate procedures
718 followed in other elections involving runoff candidates.

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

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

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

726 23-15-213. (1) There shall be elected five (5) election
727 commissioners for each county whose terms of office shall commence
728 on the first Monday of January following their election and who
729 shall serve for a term of four (4) years. Each of the



730 commissioners shall be required to attend a training seminar
731 provided by the Secretary of State and satisfactorily complete a
732 skills assessment * * *. The Secretary of State shall ensure that
733 the training seminar includes instructions to commissioners on the
734 proper performance of their duties with regard to persons are
735 restored the right of suffrage as provided in Section 1 of this
736 act. Before acting, each of the commissioners shall take and
737 subscribe the oath of office prescribed by the Constitution. The
738 oath shall be filed in the office of the clerk of the chancery
739 court. Upon filing the oath of office, the election commissioner
740 may be provided access to the Statewide Elections Management
741 System for the purpose of performing his or her duties. While
742 engaged in their duties, the commissioners shall be conservators
743 of the peace in the county, with all the duties and powers of
744 such.

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

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

753 (c) No more than one (1) commissioner shall be a
754 resident of and reside in each supervisors district of the county;



755 it being the purpose of this section that the county board of
756 election commissioners shall consist of one (1) person from each
757 supervisors district of the county and that each commissioner be
758 elected from the supervisors district in which he or she resides.

759 (3) Candidates for county election commissioner shall
760 qualify by filing with the clerk of the board of supervisors of
761 their respective counties a petition personally signed by not less
762 than fifty (50) qualified electors of the supervisors district in
763 which they reside, requesting that they be a candidate, by 5:00
764 p.m. not later than the first Monday in June of the year in which
765 the election occurs and unless the petition is filed within the
766 required time, their names shall not be placed upon the ballot.
767 All candidates shall declare in writing their party affiliation,
768 if any, to the board of supervisors, and such party affiliation
769 shall be shown on the official ballot.

770 (4) The petition shall have attached thereto a certificate
771 of the county registrar showing the number of qualified electors
772 on each petition, which shall be furnished by the registrar on
773 request. The board shall determine the sufficiency of the
774 petition, and if the petition contains the required number of
775 signatures and is filed within the time required, the president of
776 the board shall verify that the candidate is a resident of the
777 supervisors district in which he or she seeks election and that
778 the candidate is otherwise qualified as provided by law, and shall
779 certify that the candidate is qualified to the chair or secretary



780 of the county election commission and the names of the candidates
781 shall be placed upon the ballot for the ensuing election. No
782 county election commissioner shall serve or be considered as
783 elected until he or she has received a majority of the votes cast
784 for the position or post for which he or she is a candidate. If a
785 majority vote is not received in the first election, then the two
786 (2) candidates receiving the most votes for each position or post
787 shall be placed upon the ballot for a second election to be held
788 three (3) weeks later in accordance with appropriate procedures
789 followed in other elections involving runoff candidates.

790 (5) In the first meeting in January of each year, the county
791 election commissioners shall organize by electing a chair and a
792 secretary, who shall serve a one * * * -year term. The county
793 election commissioners shall provide the names of the chair and
794 secretary to the Secretary of State and provide notice of any
795 change in officers which may occur during the year.

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

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

801 23-15-223. (1) The State Board of Election Commissioners,
802 on or before the fifteenth day of February succeeding each general
803 election, shall appoint in the several counties registrars of
804 elections, who shall hold office for four (4) years and until



805 their successors shall be duly qualified. The county registrar
806 shall be the clerk of the circuit court, unless the State Board of
807 Election Commissioners finds the circuit clerk to be an improper
808 person to register the names of the electors in the county. The
809 State Board of Election Commissioners shall draft rules and
810 regulations to provide for notice and hearing before removal of
811 the circuit clerk, if notice and a hearing is practicable under
812 the circumstances.

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

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

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

822 (4) (a) The Secretary of State, in conjunction with the
823 State Board of Community and Junior Colleges, * * * shall develop
824 and make available online a computer skills training course for
825 all newly appointed registrars that shall be completed within one
826 hundred eighty (180) days of the commencement of their term of
827 office. On or before August 1, 2021, the Secretary of State shall
828 develop and make available online a training course for all
829 registrars that shall be completed by them on an annual basis.



830 The training seminar shall include instructions to registrars on
831 the proper performance of their duties with regard to persons who
832 are restored the right of suffrage as provided in Section 1 of
833 this act.

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

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



855 The county executive committee or the election commissioners, as
856 appropriate, shall train a sufficient number of alternates to
857 serve in the event a poll manager is unable to serve for any
858 reason.

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

870 (b) If it is eligible under Section 23-15-266, the
871 municipal executive committee may enter into a written agreement
872 with the municipal clerk or the municipal election commission
873 authorizing the municipal clerk or the municipal election
874 commission to perform any of the duties required of the municipal
875 executive committee pursuant to this section. Any agreement
876 entered into pursuant to this subsection shall be signed by the
877 chair of the municipal executive committee and the municipal clerk
878 or the chair of the municipal election commission, as appropriate.
879 The municipal executive committee shall notify the state executive



880 committee and the Secretary of State of the existence of the
881 agreement.

882 (3) The board of supervisors and the municipal governing
883 authority, in their discretion, may compensate poll managers who
884 attend these training sessions. The compensation shall be at a
885 rate of not less than the federal hourly minimum wage nor more
886 than Twelve Dollars (\$12.00) per hour. Poll managers shall not be
887 compensated for more than sixteen (16) hours of attendance at the
888 training sessions regardless of the actual amount of time that
889 they attended the training sessions.

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

899 (5) Subject to the following annual limitations, the
900 election commissioners shall be entitled to receive a per diem in
901 the amount of One Hundred Dollars (\$100.00), to be paid from the
902 county general fund, for every day or period of no less than five
903 (5) hours accumulated over two (2) or more days actually employed



904 in the performance of their duties for the necessary time spent in
905 conducting training sessions as required by this section:

906 (a) In counties having less than fifteen thousand
907 (15,000) residents according to the latest federal decennial
908 census, not more than five (5) days per year;

909 (b) In counties having fifteen thousand (15,000)
910 residents according to the latest federal decennial census but
911 less than thirty thousand (30,000) residents according to the
912 latest federal decennial census, not more than eight (8) days per
913 year;

914 (c) In counties having thirty thousand (30,000)
915 residents according to the latest federal decennial census but
916 less than seventy thousand (70,000) residents according to the
917 latest federal decennial census, not more than ten (10) days per
918 year;

919 (d) In counties having seventy thousand (70,000)
920 residents according to the latest federal decennial census but
921 less than ninety thousand (90,000) residents according to the
922 latest federal decennial census, not more than twelve (12) days
923 per year;

924 (e) In counties having ninety thousand (90,000)
925 residents according to the latest federal decennial census but
926 less than one hundred seventy thousand (170,000) residents
927 according to the latest federal decennial census, not more than
928 fifteen (15) days per year;



929 (f) In counties having one hundred seventy thousand
930 (170,000) residents according to the latest federal decennial
931 census but less than two hundred thousand (200,000) residents
932 according to the latest federal decennial census, not more than
933 eighteen (18) days per year;

934 (g) In counties having two hundred thousand (200,000)
935 residents according to the latest federal decennial census but
936 less than two hundred twenty-five thousand (225,000) residents
937 according to the latest federal decennial census, not more than
938 nineteen (19) days per year;

939 (h) In counties having two hundred twenty-five thousand
940 (225,000) residents or more according to the latest federal
941 decennial census, not more than twenty-two (22) days per year.

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

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



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

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

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

963 23-15-165. (1) The Office of the Secretary of State, in
964 cooperation with the county registrars and election commissioners,
965 shall procure, implement and maintain an electronic information
966 processing system and programs capable of maintaining a
967 centralized database of all registered voters in the state. The
968 system shall encompass software and hardware, at both the state
969 and county level, software development training, conversion and
970 support and maintenance for the system. This system shall be
971 known as the "Statewide Elections Management System" and shall
972 constitute the official record of registered voters in every
973 county of the state.

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



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

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

981 (c) Receive regular reports of death * * * and changes
982 of address * * * that apply to voters registered in the
983 county; * * *

984 (d) Receive regular reports on the names of persons
985 convicted of disenfranchising crimes in the county. The reports
986 shall:

987 (i) Be derived from accurate and updated sources,
988 including, but not limited to, the online databases maintained by
989 the Mississippi Department of Corrections and the Mississippi
990 Parole Board; and

991 (ii) Indicate whether the sentencing court imposed
992 a term of incarceration or probation upon conviction of such
993 crime; and

994 (* * * e) Retain all present functionality related to,
995 but not limited to, the use of voter roll data and to implement
996 such other functionality as the law requires to enhance the
997 maintenance of accurate county voter records and related jury
998 selection and redistricting programs.

999 (3) As a part of the procurement and implementation of the
1000 system, the Office of the Secretary of State shall, with the
1001 assistance of the advisory committee, procure services necessary



1002 to convert current voter registration records in the counties into
1003 a standard, industry accepted file format that can be used on the
1004 Statewide Elections Management System. Thereafter, all official
1005 voter information shall be maintained on the Statewide Elections
1006 Management System. The standard industry accepted format of data
1007 was reviewed and approved by a majority of the advisory committee
1008 created in subsection (5) of this section after consultation with
1009 the Circuit Clerks Association and the format may not be changed
1010 without consulting the Circuit Clerks Association.

1011 (4) The Secretary of State may, with the assistance of the
1012 advisory committee, adopt rules and regulations necessary to
1013 administer the Statewide Elections Management System. The rules
1014 and regulations shall at least:

1015 (a) Provide for the establishment and maintenance of a
1016 centralized database for all voter registration information in the
1017 state;

1018 (b) Provide procedures for integrating data into the
1019 centralized database;

1020 (c) Provide security to ensure that only the registrar,
1021 or his or her designee or other appropriate official, as the law
1022 may require, can add information to, delete information from and
1023 modify information in the system;

1024 (d) Provide the registrar or his or her designee or
1025 other appropriate official, as the law may require, access to the
1026 system at all times, including the ability to download copies of



1027 the industry standard file, for all purposes related to their
1028 official duties, including, but not limited to, exclusive access
1029 for the purpose of printing all local pollbooks;

1030 (e) Provide security and protection of all information
1031 in the system and monitor the system to ensure that unauthorized
1032 access is not allowed;

1033 (f) Provide a procedure that will allow the registrar,
1034 or his or her designee or other appropriate official, as the law
1035 may require, to identify the precinct to which a voter should be
1036 assigned; and

1037 (g) Provide a procedure for phasing in or converting
1038 existing manual and computerized voter registration systems in
1039 counties to the Statewide Elections Management System.

1040 (5) The Secretary of State established an advisory committee
1041 to assist in developing system specifications, procurement,
1042 implementation and maintenance of the Statewide Elections
1043 Management System. The committee included two (2) representatives
1044 from the Circuit Clerks Association, appointed by the association;
1045 two (2) representatives from the Election Commissioners
1046 Association of Mississippi, appointed by the association; one (1)
1047 member of the Mississippi Association of Supervisors, or its
1048 staff, appointed by the association; the Director of the Stennis
1049 Institute of Government at Mississippi State University, or his or
1050 her designee; the Executive Director of the Department of
1051 Information Technology Services, or his or her designee; two (2)



1052 persons knowledgeable about elections and information technology
1053 appointed by the Secretary of State; and the Secretary of State,
1054 who shall serve as the chair of the advisory committee.

1055 (6) (a) Social security numbers, telephone numbers and date
1056 of birth and age information in statewide, district, county and
1057 municipal voter registration files shall be exempt from and shall
1058 not be subject to inspection, examination, copying or reproduction
1059 under the Mississippi Public Records Act of 1983.

1060 (b) Copies of statewide, district, county or municipal
1061 voter registration files, excluding social security numbers,
1062 telephone numbers and date of birth and age information, shall be
1063 provided to any person in accordance with the Mississippi Public
1064 Records Act of 1983 at a cost not to exceed the actual cost of
1065 production.

1066 **SECTION 13.** Section 23-15-573, Mississippi Code of 1972, is
1067 brought forward as follows:

1068 23-15-573. (1) If any person declares that he or she is a
1069 registered voter in the jurisdiction in which he or she offers to
1070 vote and that he or she is eligible to vote in the election, but
1071 his or her name does not appear upon the pollbooks, or that he or
1072 she is not able to cast a regular election day ballot under a
1073 provision of state or federal law but is otherwise qualified to
1074 vote, or that he or she has been illegally denied registration, or
1075 that he or she is unable to present an acceptable form of photo
1076 identification:



1077 (a) A poll manager shall notify the person that he or
1078 she may cast an affidavit ballot at the election.

1079 (b) The person shall be permitted to cast an affidavit
1080 ballot at the polling place upon execution of a written affidavit
1081 before one (1) of the poll managers stating that the individual:

1082 (i) Believes he or she is a registered voter in
1083 the jurisdiction in which he or she desires to vote and is
1084 eligible to vote in the election; or

1085 (ii) Is not able to cast a regular election day
1086 ballot under a provision of state or federal law but is otherwise
1087 qualified to vote; or

1088 (iii) Believes that he or she has been illegally
1089 denied registration; or

1090 (iv) Is unable to present an acceptable form of
1091 photo identification.

1092 (c) The poll manager shall allow the individual to mark
1093 a paper ballot properly endorsed by the initialing poll manager or
1094 alternate initialing poll manager in accordance with Section
1095 23-15-541, which shall be delivered by him or her to the proper
1096 election official who shall enclose it in an affidavit ballot
1097 envelope, with the written and signed affidavit of the voter
1098 affixed to the envelope, seal the envelope and mark plainly upon
1099 it the name of the person offering to vote.

1100 (2) The affidavit ballot envelope shall include:

1101 (a) The complete name of the voter;



1102 (b) A present and previous physical and mailing address
1103 of the voter;

1104 (c) Telephone numbers where the voter may be contacted;

1105 (d) A statement that the affiant believes he or she is
1106 registered to vote in the jurisdiction in which he or she offers
1107 to vote;

1108 (e) The signature of the affiant; and

1109 (f) The signature of the poll manager at the polling
1110 place at which the affiant offers to vote.

1111 (3) (a) A separate receipt book shall be maintained for
1112 affidavit voters and the affidavit voters shall sign the receipt
1113 book upon completing the affidavit ballot.

1114 (b) If the affidavit voter is casting an affidavit
1115 ballot because the voter is unable to present an acceptable form
1116 of photo identification and the voter's name appears in the
1117 pollbook, then the poll manager shall write "NO ID" across from
1118 the voter's name and in the appropriate column in the pollbook.

1119 (c) In canvassing the returns of the election, the
1120 executive committee in primary elections, or the election
1121 commissioners in other elections, shall examine the records and
1122 allow the ballot to be counted, or not counted as it appears
1123 legal.

1124 (d) An affidavit ballot of a voter who was unable to
1125 present an acceptable form of photo identification shall not be



1126 rejected for this reason if the voter does either of the
1127 following:

1128 (i) Returns to the circuit clerk's office, or to
1129 the municipal clerk's office for municipal elections, within five
1130 (5) business days after the date of the election and presents an
1131 acceptable form of photo identification;

1132 (ii) Returns to the circuit clerk's office within
1133 five (5) business days after the date of the election to obtain
1134 the Mississippi Voter Identification Card, or in municipal
1135 election, returns to the municipal clerk's office within five (5)
1136 business days after the date of the election to present his or her
1137 Mississippi Voter Identification Card or Temporary Mississippi
1138 Voter Identification Card; or

1139 (iii) Returns to the circuit clerk's office, or to
1140 the municipal clerk's office for municipal elections, within five
1141 (5) business days after the date of the election to execute a
1142 separate Affidavit of Religious Objection.

1143 (4) When a person is offered the opportunity to vote by
1144 affidavit ballot, he or she shall be provided with written
1145 information that informs the person how to ascertain whether his
1146 or her affidavit ballot was counted and, if the vote was not
1147 counted, the reasons the vote was not counted.

1148 (5) The officials in charge of the election shall process
1149 all affidavit ballots by using the Statewide Elections Management
1150 System. The officials in charge of the election shall account for



1151 all affidavit ballots cast in each election, categorizing the
1152 affidavit ballots cast by reason and recording the total number of
1153 affidavit ballots counted and not counted in each such category in
1154 the Statewide Elections Management System.

1155 (6) The Secretary of State shall, by rule duly adopted,
1156 establish a uniform affidavit ballot envelope that shall be used
1157 in all elections in this state. The Secretary of State shall
1158 print and distribute a sufficient number of affidavit ballot
1159 envelopes to the registrar of each county for use in elections.
1160 The registrar shall distribute the affidavit ballot envelopes to
1161 municipal and county executive committees for use in primary
1162 elections and to municipal and county election commissioners for
1163 use in all other elections.

1164 (7) County registrars and municipal registrars shall
1165 maintain a secure free access system that complies with the Help
1166 America Vote Act of 2002, by which persons who vote by affidavit
1167 ballot may determine if their ballots were counted, and if not,
1168 the reasons the ballot was not counted.

1169 (8) Any person who votes in any election as a result of a
1170 federal or state court order or other order extending the time
1171 established by law for closing the polls on an election day, may
1172 only vote by affidavit ballot. Any affidavit ballot cast under
1173 this subsection shall be separated and kept apart from other
1174 affidavit ballots cast by voters not affected by the order.



1175 **SECTION 14.** This act shall take effect and be in force from
1176 and after its passage.

