

By: Representatives Paden, Stamps

To: Constitution; Judiciary
B

HOUSE BILL NO. 145

1 AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT A PERSON DISQUALIFIED AS AN ELECTOR BY REASON OF
3 CONVICTION OF AN OFFENSE UNDER SECTION 241, MISSISSIPPI
4 CONSTITUTION OF 1890, EXCEPT MURDER OR RAPE, SHALL HAVE HIS OR HER
5 RIGHT TO VOTE RESTORED UPON COMPLETION OF CERTAIN PRESCRIBED
6 CONDITIONS; TO AMEND SECTIONS 23-15-19, 23-15-125, 23-15-151,
7 23-15-153 AND 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO
8 THE PRECEDING SECTION; TO BRING FORWARD SECTIONS 97-39-3 AND
9 99-19-37, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE
10 AMENDMENT; AND FOR RELATED PURPOSES.

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

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

14 23-15-11. (1) Every inhabitant of this state, except
15 persons adjudicated to be non compos mentis, who is a citizen of
16 the United States of America, eighteen (18) years old and upwards,
17 who has resided in this state for thirty (30) days and for thirty
18 (30) days in the county in which he or she seeks to vote, and for
19 thirty (30) days in the incorporated municipality in which he or
20 she seeks to vote, and who has been duly registered as an elector
21 under Section 23-15-33, and who has never been convicted of vote
22 fraud or of any crime listed in Section 241, Mississippi



23 Constitution of 1890, shall be a qualified elector in and for the
24 county, municipality and voting precinct of his or her residence,
25 and shall be entitled to vote at any election upon compliance with
26 Section 23-15-563. If the thirtieth day to register before an
27 election falls on a Sunday or legal holiday, the registration
28 applications submitted on the business day immediately following
29 the Sunday or legal holiday shall be accepted and entered in the
30 Statewide Elections Management System for the purpose of enabling
31 voters to vote in the next election. Any person who will be
32 eighteen (18) years of age or older on or before the date of the
33 general election and who is duly registered to vote not less than
34 thirty (30) days before the primary election associated with the
35 general election, may vote in the primary election even though the
36 person has not reached his or her eighteenth birthday at the time
37 that the person seeks to vote at the primary election. No others
38 than those specified in this section shall be entitled, or shall
39 be allowed, to vote at any election.

40 (2) (a) Any person convicted of an offense described in
41 Section 241, Mississippi Constitution of 1890, except murder or
42 rape, shall have his or her suffrage restored when all of the
43 following conditions are met:

44 (i) The person has completed all terms and
45 conditions imposed by the sentencing court, including the service
46 of any period of incarceration, post-release supervision,
47 probation or parole;



48 (ii) A period of three (3) years has elapsed since
49 the completion of the terms and conditions described in this
50 paragraph (a), without the person having been convicted
51 subsequently of a felony under the laws of this state, any other
52 state or under federal law;

53 (iii) The person has submitted a sworn petition to
54 the sentencing court for a certificate of restoration of suffrage,
55 indicating that the conditions imposed in paragraphs (a)(i) and
56 (ii) of this subsection have been met and the person has never
57 been convicted of a felony other than that found within the
58 present cause of action subject to the petition; and

59 (iv) A certificate of restoration of suffrage may
60 not be issued until the clerk of the sentencing court verifies
61 that the petitioner has not been convicted of a felony other than
62 the one (1) subject to the sworn petition.

63 (b) If a certificate of restoration of suffrage is
64 issued by the sentencing court to the person, the certificate
65 shall be forwarded by the clerk of the court to the registrar in
66 the county in which the person resides and desires to be a
67 qualified elector. A person who presents a certificate of
68 restoration may not be denied the right to register to vote or to
69 cast a ballot based upon a prior felony conviction.

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



72 23-15-19. Any person who has been convicted of vote fraud or
73 any crime listed in Section 241, Mississippi Constitution of 1890,
74 such crimes defined as "disenfranchising," except for murder and
75 rape, shall * * * have his or her right to vote suspended upon
76 conviction and shall have his or her right to vote restored once
77 he or she has satisfied all of the requirements of Section
78 23-15-11(2). Whenever any person shall be convicted in the
79 circuit court of his or her county of a disenfranchising crime,
80 the county registrar shall * * * remove his or her name from the
81 Statewide Elections Management System until he or she has
82 satisfied all of the requirements of Section 23-15-11(2); and
83 whenever any person shall be convicted of a disenfranchising crime
84 in any other court of any county, the presiding judge of the court
85 shall, on demand, certify the fact in writing to the registrar of
86 the county in which the voter resides, who shall * * * remove the
87 name of the person from the Statewide Elections Management System
88 until he or she has satisfied all of the requirements of Section
89 23-15-11(2) and retain the certificate as a record of his or her
90 office.

91 **SECTION 3.** Section 23-15-125, Mississippi Code of 1972, is
92 amended as follows:

93 23-15-125. The pollbook of each voting precinct shall
94 designate the voting precinct for which it is to be used, and
95 shall be ruled in appropriate columns, with printed or written
96 headings, as follows: date of registration; voter registration



97 number; name of electors; date of birth; and a number of blank
98 columns for the dates of elections. All qualified applicants who
99 register with the registrar shall be entered in the Statewide
100 Elections Management System. Only the names of those qualified
101 applicants who register within thirty (30) days before an election
102 shall appear on the pollbooks of the election; however, if the
103 thirtieth day to register before an election falls on a Sunday or
104 legal holiday, the registration applications submitted on the
105 business day immediately following the legal holiday shall be
106 accepted and entered in the Statewide Elections Management System
107 for the purpose of enabling voters to vote in the next election.
108 When county election commissioners determine that any elector is
109 disqualified from voting, by reason of death, conviction of a
110 disenfranchising crime, removal from the jurisdiction, or other
111 legal cause, that fact shall be noted in the Statewide Elections
112 Management System and the voter's name shall be removed from the
113 Statewide Elections Management System, the state's voter roll and
114 the county's pollbooks. Nothing in this section shall preclude
115 the use of electronic pollbooks. A person who is otherwise a
116 qualified elector under the provisions of Section 23-15-11 and has
117 been convicted of voter fraud, bribery, theft, arson, obtaining
118 money or goods under false pretense, perjury, forgery,
119 embezzlement, bigamy or any crime interpreted as disenfranchising
120 in later Attorney General opinions except for murder and rape
121 shall have his or her right to vote suspended upon conviction and



122 shall have his or her right to vote restored once he or she has
123 satisfied all of the requirements of Section 23-15-11(2). Once
124 the person has satisfied all of the requirements of Section
125 23-15-11(2), the voter's name shall be restored into the Statewide
126 Elections Management System, the state's voter roll and the
127 county's pollbooks.

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

130 23-15-151. The circuit clerk of each county is authorized
131 and directed to prepare and keep in his or her office a full and
132 complete list, in alphabetical order, of persons convicted of
133 voter fraud or of any crime listed in Section 241, Mississippi
134 Constitution of 1890, whose right to vote has been suspended upon
135 conviction. A certified copy of any enrollment by one clerk to
136 another will be sufficient authority for the enrollment of the
137 name, or names, in another county. * * *

138 **SECTION 5.** Section 23-15-153, Mississippi Code of 1972, is
139 amended as follows:

140 23-15-153. (1) At least during the following times, the
141 election commissioners shall meet at the office of the registrar
142 or the office of the election commissioners to carefully revise
143 the county voter roll as electronically maintained by the
144 Statewide Elections Management System and remove from the roll the
145 names of all voters who have requested to be purged from the voter
146 roll, died, received an adjudication of non compos mentis, been



147 convicted of a disenfranchising crime and had his or her right to
148 vote suspended, or otherwise become disqualified as electors for
149 any cause, and shall register the names of all persons who have
150 duly applied to be registered but have been illegally denied
151 registration:

152 (a) On the Tuesday after the second Monday in January
153 1987 and every following year;

154 (b) On the first Tuesday in the month immediately
155 preceding the first primary election for members of Congress in
156 the years when members of Congress are elected;

157 (c) On the first Monday in the month immediately
158 preceding the first primary election for state, state district
159 legislative, county and county district offices in the years in
160 which those offices are elected; and

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

164 Except for the names of those voters who are duly qualified
165 to vote in the election, no name shall be permitted to remain in
166 the Statewide Elections Management System; however, no name shall
167 be purged from the Statewide Elections Management System based on
168 a change in the residence of an elector except in accordance with
169 procedures provided for by the National Voter Registration Act of
170 1993. Except as otherwise provided by Section 23-15-573, no
171 person shall vote at any election whose name is not in the county



172 voter roll electronically maintained by the Statewide Elections
173 Management System.

174 (2) Except as provided in this section, and subject to the
175 following annual limitations, the election commissioners shall be
176 entitled to receive a per diem in the amount of One Hundred
177 Dollars (\$100.00), to be paid from the county general fund, for
178 every day or period of no less than five (5) hours accumulated
179 over two (2) or more days actually employed in the performance of
180 their duties in the conduct of an election or actually employed in
181 the performance of their duties for the necessary time spent in
182 the revision of the county voter roll as electronically maintained
183 by the Statewide Elections Management System as required in
184 subsection (1) of this section:

185 (a) In counties having less than fifteen thousand
186 (15,000) residents according to the latest federal decennial
187 census, not more than fifty (50) days per year, with no more than
188 fifteen (15) additional days allowed for the conduct of each
189 election in excess of one (1) occurring in any calendar year;

190 (b) In counties having fifteen thousand (15,000)
191 residents according to the latest federal decennial census but
192 less than thirty thousand (30,000) residents according to the
193 latest federal decennial census, not more than seventy-five (75)
194 days per year, with no more than twenty-five (25) additional days
195 allowed for the conduct of each election in excess of one (1)
196 occurring in any calendar year;



197 (c) In counties having thirty thousand (30,000)
198 residents according to the latest federal decennial census but
199 less than seventy thousand (70,000) residents according to the
200 latest federal decennial census, not more than one hundred (100)
201 days per year, with no more than thirty-five (35) additional days
202 allowed for the conduct of each election in excess of one (1)
203 occurring in any calendar year;

204 (d) In counties having seventy thousand (70,000)
205 residents according to the latest federal decennial census but
206 less than ninety thousand (90,000) residents according to the
207 latest federal decennial census, not more than one hundred
208 twenty-five (125) days per year, with no more than forty-five (45)
209 additional days allowed for the conduct of each election in excess
210 of one (1) occurring in any calendar year;

211 (e) In counties having ninety thousand (90,000)
212 residents according to the latest federal decennial census but
213 less than one hundred seventy thousand (170,000) residents
214 according to the latest federal decennial census, not more than
215 one hundred fifty (150) days per year, with no more than
216 fifty-five (55) additional days allowed for the conduct of each
217 election in excess of one (1) occurring in any calendar year;

218 (f) In counties having one hundred seventy thousand
219 (170,000) residents according to the latest federal decennial
220 census but less than two hundred thousand (200,000) residents
221 according to the latest federal decennial census, not more than



222 one hundred seventy-five (175) days per year, with no more than
223 sixty-five (65) additional days allowed for the conduct of each
224 election in excess of one (1) occurring in any calendar year;

225 (g) In counties having two hundred thousand (200,000)
226 residents according to the latest federal decennial census but
227 less than two hundred twenty-five thousand (225,000) residents
228 according to the latest federal decennial census, not more than
229 one hundred ninety (190) days per year, with no more than
230 seventy-five (75) additional days allowed for the conduct of each
231 election in excess of one (1) occurring in any calendar year;

232 (h) In counties having two hundred twenty-five thousand
233 (225,000) residents according to the latest federal decennial
234 census but less than two hundred fifty thousand (250,000)
235 residents according to the latest federal decennial census, not
236 more than two hundred fifteen (215) days per year, with no more
237 than eighty-five (85) additional days allowed for the conduct of
238 each election in excess of one (1) occurring in any calendar year;

239 (i) In counties having two hundred fifty thousand
240 (250,000) residents according to the latest federal decennial
241 census but less than two hundred seventy-five thousand (275,000)
242 residents according to the latest federal decennial census, not
243 more than two hundred thirty (230) days per year, with no more
244 than ninety-five (95) additional days allowed for the conduct of
245 each election in excess of one (1) occurring in any calendar year;



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

252 (3) In addition to the number of days authorized in
253 subsection (2) of this section, the board of supervisors of a
254 county may authorize, in its discretion, the election
255 commissioners to receive a per diem in the amount provided for in
256 subsection (2) of this section, to be paid from the county general
257 fund, for every day or period of no less than five (5) hours
258 accumulated over two (2) or more days actually employed in the
259 performance of their duties in the conduct of an election or
260 actually employed in the performance of their duties for the
261 necessary time spent in the revision of the county voter roll as
262 electronically maintained by the Statewide Elections Management
263 System as required in subsection (1) of this section, not to
264 exceed five (5) days.

265 (4) (a) The election commissioners shall be entitled to
266 receive a per diem in the amount of One Hundred Dollars (\$100.00),
267 to be paid from the county general fund, not to exceed ten (10)
268 days for every day or period of no less than five (5) hours
269 accumulated over two (2) or more days actually employed in the
270 performance of their duties for the necessary time spent in the



271 revision of the county voter roll as electronically maintained by
272 the Statewide Elections Management System before any special
273 election. For purposes of this paragraph, the regular special
274 election day shall not be considered a special election. The
275 annual limitations set forth in subsection (2) of this section
276 shall not apply to this paragraph.

277 (b) The election commissioners shall be entitled to
278 receive a per diem in the amount of One Hundred Fifty Dollars
279 (\$150.00), to be paid from the county general fund, for the
280 performance of their duties on the day of any primary, runoff,
281 general or special election. The annual limitations set forth in
282 subsection (2) of this section shall apply to this paragraph.

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

291 (5) The election commissioners shall be entitled to receive
292 a per diem in the amount of One Hundred Dollars (\$100.00), to be
293 paid from the county general fund, not to exceed fourteen (14)
294 days for every day or period of no less than five (5) hours
295 accumulated over two (2) or more days actually employed in the



296 performance of their duties for the necessary time spent in the
297 revision of the county voter roll as electronically maintained by
298 the Statewide Elections Management System and in the conduct of a
299 runoff election following either a general or special election.

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

304 (7) In preparation for a municipal primary, runoff, general
305 or special election, the county registrar shall generate and
306 distribute the master voter roll and pollbooks from the Statewide
307 Elections Management System for the municipality located within
308 the county. The municipality shall pay the county registrar for
309 the actual cost of preparing and printing the municipal master
310 voter roll pollbooks. A municipality may secure "read only"
311 access to the Statewide Elections Management System and print its
312 own pollbooks using this information.

313 (8) County election commissioners who perform the duties of
314 an executive committee with regard to the conduct of a primary
315 election under a written agreement authorized by law to be entered
316 into with an executive committee shall receive per diem as
317 provided for in subsection (2) of this section. The days that
318 county election commissioners are employed in the conduct of a
319 primary election shall be treated the same as days county election
320 commissioners are employed in the conduct of other elections.



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

325 (10) Every election commissioner shall sign personally a
 326 certification setting forth the number of hours actually worked in
 327 the performance of the commissioner's official duties and for
 328 which the commissioner seeks compensation. The certification must
 329 be on a form as prescribed in this subsection. The commissioner's
 330 signature is, as a matter of law, made under the commissioner's
 331 oath of office and under penalties of perjury.

332 The certification form shall be as follows:

333 **COUNTY ELECTION COMMISSIONER**

334 **PER DIEM CLAIM FORM**

335 NAME: _____ COUNTY: _____

336 ADDRESS: _____ DISTRICT: _____

337 CITY: _____ ZIP: _____

				PURPOSE	APPLICABLE	ACTUAL	PER DIEM
DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS	
WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED	

341 _____

342 _____

343 _____

344 TOTAL NUMBER OF PER DIEM DAYS EARNED

345 EXCLUDING ELECTION DAYS _____



346 PER DIEM RATE PER DAY EARNED X \$100.00
347 TOTAL NUMBER PER DIEM DAYS EARNED
348 FOR ELECTION DAYS _____
349 PER DIEM RATE PER DAY EARNED X \$150.00
350 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

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

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

356 Signed this the _____ day of _____, ____.

357 _____
358 Commissioner's Signature

359 When properly completed and signed, the certification must be
360 filed with the clerk of the county board of supervisors before any
361 payment may be made. The certification will be a public record
362 available for inspection and reproduction immediately upon the
363 oral or written request of any person.

364 Any person may contest the accuracy of the certification in
365 any respect by notifying the chair of the commission, any member
366 of the board of supervisors or the clerk of the board of
367 supervisors of the contest at any time before or after payment is
368 made. If the contest is made before payment is made, no payment
369 shall be made as to the contested certificate until the contest is
370 finally disposed of. The person filing the contest shall be



371 entitled to a full hearing, and the clerk of the board of
372 supervisors shall issue subpoenas upon request of the contestor
373 compelling the attendance of witnesses and production of documents
374 and things. The contestor shall have the right to appeal de novo
375 to the circuit court of the involved county, which appeal must be
376 perfected within thirty (30) days from a final decision of the
377 commission, the clerk of the board of supervisors or the board of
378 supervisors, as the case may be.

379 Any contestor who successfully contests any certification
380 will be awarded all expenses incident to his or her contest,
381 together with reasonable attorney's fees, which will be awarded
382 upon petition to the chancery court of the involved county upon
383 final disposition of the contest before the election commission,
384 board of supervisors, clerk of the board of supervisors, or, in
385 case of an appeal, final disposition by the court. The
386 commissioner against whom the contest is decided shall be liable
387 for the payment of the expenses and attorney's fees, and the
388 county shall be jointly and severally liable for same.

389 (11) Any election commissioner who has not received a
390 certificate issued by the Secretary of State pursuant to Section
391 23-15-211 indicating that the election commissioner has received
392 the required elections seminar instruction and that the election
393 commissioner is fully qualified to conduct an election, shall not
394 receive any compensation authorized by this section or Section
395 23-15-239.



396 **SECTION 6.** Section 23-15-165, Mississippi Code of 1972, is
397 amended as follows:

398 23-15-165. (1) The Office of the Secretary of State, in
399 cooperation with the county registrars and election commissioners,
400 shall procure, implement and maintain an electronic information
401 processing system and programs capable of maintaining a
402 centralized database of all registered voters in the state. The
403 system shall encompass software and hardware, at both the state
404 and county level, software development training, conversion and
405 support and maintenance for the system. This system shall be
406 known as the "Statewide Elections Management System" and shall
407 constitute the official record of registered voters in every
408 county of the state.

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

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

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

416 (c) Receive regular reports of death, changes of
417 address and convictions for disenfranchising crimes which cause a
418 voter to have his or her right to vote suspended that apply to
419 voters registered in the county; * * *



420 (d) Receive regular reports of voters who have
421 satisfied all of the requirements of Section 23-15-11(2) and
422 automatically restore the voter's name into the Statewide
423 Elections Management System, the state's voter roll and the
424 county's pollbooks; and

425 (* * *e) Retain all present functionality related to,
426 but not limited to, the use of voter roll data and to implement
427 such other functionality as the law requires to enhance the
428 maintenance of accurate county voter records and related jury
429 selection and redistricting programs.

430 (3) As a part of the procurement and implementation of the
431 system, the Office of the Secretary of State shall, with the
432 assistance of the advisory committee, procure services necessary
433 to convert current voter registration records in the counties into
434 a standard, industry accepted file format that can be used on the
435 Statewide Elections Management System. Thereafter, all official
436 voter information shall be maintained on the Statewide Elections
437 Management System. The standard industry accepted format of data
438 was reviewed and approved by a majority of the advisory committee
439 created in subsection (5) of this section after consultation with
440 the Circuit Clerks Association and the format may not be changed
441 without consulting the Circuit Clerks Association.

442 (4) The Secretary of State may, with the assistance of the
443 advisory committee, adopt rules and regulations necessary to



444 administer the Statewide Elections Management System. The rules
445 and regulations shall at least:

446 (a) Provide for the establishment and maintenance of a
447 centralized database for all voter registration information in the
448 state;

449 (b) Provide procedures for integrating data into the
450 centralized database;

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

455 (d) Provide the registrar or his or her designee or
456 other appropriate official, as the law may require, access to the
457 system at all times, including the ability to download copies of
458 the industry standard file, for all purposes related to their
459 official duties, including, but not limited to, exclusive access
460 for the purpose of printing all local pollbooks;

461 (e) Provide security and protection of all information
462 in the system and monitor the system to ensure that unauthorized
463 access is not allowed;

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



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

471 (5) The Secretary of State established an advisory committee
472 to assist in developing system specifications, procurement,
473 implementation and maintenance of the Statewide Elections
474 Management System. The committee included two (2) representatives
475 from the Circuit Clerks Association, appointed by the association;
476 two (2) representatives from the Election Commissioners
477 Association of Mississippi, appointed by the association; one (1)
478 member of the Mississippi Association of Supervisors, or its
479 staff, appointed by the association; the Director of the Stennis
480 Institute of Government at Mississippi State University, or his or
481 her designee; the Executive Director of the Department of
482 Information Technology Services, or his or her designee; two (2)
483 persons knowledgeable about elections and information technology
484 appointed by the Secretary of State; and the Secretary of State,
485 who shall serve as the chair of the advisory committee.

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

491 (b) Copies of statewide, district, county or municipal
492 voter registration files, excluding social security numbers,



493 telephone numbers and date of birth and age information, shall be
494 provided to any person in accordance with the Mississippi Public
495 Records Act of 1983 at a cost not to exceed the actual cost of
496 production.

497 **SECTION 7.** Section 97-39-3, Mississippi Code of 1972, is
498 brought forward as follows:

499 97-39-3. If any person shall fight a duel, or give or accept
500 a challenge to fight a duel, or knowingly carry or deliver such
501 challenge or the acceptance thereof, or be second to either party
502 to any duel, whether such act be done in the state or out of it,
503 or who shall go out of the state to fight a duel, or to assist in
504 the same as second, or to send, accept, or carry a challenge,
505 shall be disqualified from holding any office, be disenfranchised,
506 and incapable of holding or being elected to any post of honor,
507 profit or emolument, civil or military, under the constitution and
508 laws of this state; and the appointment of any such person to
509 office, as also all votes given to any such person, are illegal,
510 and none of the votes given to such person for any office shall be
511 taken or counted.

512 **SECTION 8.** Section 99-19-37, Mississippi Code of 1972, is
513 brought forward as follows:

514 99-19-37. (1) Any person who has lost the right of suffrage
515 by reason of conviction of crime and has not been pardoned
516 therefrom, who thereafter served honorably in any branch of the
517 Armed Forces of the United States during the periods of World War



518 I or World War II as hereinafter defined and shall have received
519 an honorable discharge, or release therefrom, shall by reason of
520 such honorable service, have the full right of suffrage restored,
521 provided, however, this does not apply to any one having an
522 unfinished or suspended sentence.

523 (2) For the purposes of this section the period of World War
524 I shall be from April 6, 1917 to December 1, 1918, and the period
525 of World War II shall be from December 7, 1941 to December 31,
526 1946.

527 (3) In order to have restored, and to exercise, the right of
528 franchise under the provisions of this section a person affected
529 hereby shall have his discharge, or release, from the Armed Forces
530 of the United States recorded in the office of the chancery clerk
531 of the county in which such person desires to exercise the right
532 of franchise and if such discharge, or release, appears to be an
533 honorable discharge, or release, and shows such person to have
534 served honorably during either of the periods stated in subsection
535 (2) of this section such person shall have the full right of
536 suffrage restored as though an act had been passed by the
537 Legislature in accordance with Section 253 of the Constitution of
538 the State of Mississippi restoring the right of suffrage to such
539 person.

540 **SECTION 9.** This act shall take effect and be in force from
541 and after July 1, 2022.

