

By: Representatives Bain, Karriem, Stamps

To: Judiciary B

HOUSE BILL NO. 630

1 AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972,
 2 TO CLARIFY THE EFFECT OF EXPUNGEMENT PROCEDURES IN RELATION TO
 3 QUALIFIED ELECTORS; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF
 4 1972, TO PROVIDE THAT ANY PERSON WHO HAS HAD A DISENFRANCHISING
 5 CRIME CONVICTION EXPUNGED, WHO HAS NOT BEEN CONVICTED OF ANY OTHER
 6 DISENFRANCHISING CRIME AND WHO MEETS ALL OTHER REQUIREMENTS TO
 7 BECOME A QUALIFIED ELECTOR SHALL BE ALLOWED TO REGISTER TO VOTE AS
 8 A QUALIFIED ELECTOR; TO ADD ALL CRIMES THAT ARE IN-ELIGIBLE FOR
 9 EXPUNGEMENT UNDER 99-19-71 TO THE LIST OF DISENFRANCHISING CRIMES;
 10 TO AMEND SECTIONS 23-15-151 AND 23-15-19, MISSISSIPPI CODE OF
 11 1972, TO REQUIRE THE COUNTY REGISTRAR OR ELECTION COMMISSIONER TO
 12 PLACE THE NAME OF ANY PERSON WHOSE DISENFRANCHISING CRIME WAS
 13 EXPUNGED, WHO HAS NOT BEEN CONVICTED OF ANOTHER DISENFRANCHISING
 14 CRIME AND IS OTHERWISE AN ELIGIBLE VOTER TO BE PLACED INTO THE
 15 STATEWIDE ELECTION MANAGEMENT SYSTEM AT THE REQUEST OF THE PERSON;
 16 TO AMEND SECTIONS 23-15-125, 23-15-153, 23-15-165 AND 99-19-37,
 17 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO
 18 AMEND SECTION 97-39-3, MISSISSIPPI CODE OF 1972, TO REVISE THE
 19 PENALTIES FOR DUELING; AND FOR RELATED PURPOSES.

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

21 **SECTION 1.** Section 99-19-71, Mississippi Code of 1972, is
 22 amended as follows:

23 99-19-71. (1) Any person who has been convicted of a
 24 misdemeanor that is not a traffic violation, and who is a first
 25 offender, may petition the justice, county, circuit or municipal



26 court in which the conviction was had for an order to expunge any
27 such conviction from all public records.

28 (2) (a) Except as otherwise provided in this subsection, a
29 person who has been convicted of a felony and who has paid all
30 criminal fines and costs of court imposed in the sentence of
31 conviction may petition the court in which the conviction was had
32 for an order to expunge one (1) conviction from all public records
33 five (5) years after the successful completion of all terms and
34 conditions of the sentence for the conviction upon a hearing as
35 determined in the discretion of the court; however, a person is
36 not eligible to expunge a felony classified as:

37 (i) A crime of violence as provided in Section
38 97-3-2;

39 (ii) Arson, first degree as provided in Sections
40 97-17-1 and 97-17-3;

41 (iii) Trafficking in controlled substances as
42 provided in Section 41-29-139;

43 (iv) A third, fourth or subsequent offense DUI as
44 provided in Section 63-11-30(2)(c) and (2)(d);

45 (v) Felon in possession of a firearm as provided
46 in Section 97-37-5;

47 (vi) Failure to register as a sex offender as
48 provided in Section 45-33-33;

49 (vii) Voyeurism as provided in Section 97-29-61;



50 (viii) Witness intimidation as provided in Section
51 97-9-113;

52 (ix) Abuse, neglect or exploitation of a
53 vulnerable person as provided in Section 43-47-19; or

54 (x) Embezzlement as provided in Sections 97-11-25
55 and 97-23-19.

56 A person is eligible for only one (1) felony expunction under
57 this paragraph. For the purposes of this section, the terms "one
58 (1) conviction" and "one (1) felony expunction" mean and include
59 all convictions that arose from a common nucleus of operative
60 facts as determined in the discretion of the court.

61 (b) The petitioner shall give ten (10) days' written
62 notice to the district attorney before any hearing on the
63 petition. In all cases, the court wherein the petition is filed
64 may grant the petition if the court determines, on the record or
65 in writing, that the applicant is rehabilitated from the offense
66 which is the subject of the petition. In those cases where the
67 court denies the petition, the findings of the court in this
68 respect shall be identified specifically and not generally.

69 (3) Upon entering an order of expunction under this section,
70 a nonpublic record thereof shall be retained by the Mississippi
71 Criminal Information Center solely for the purpose of determining
72 whether, in subsequent proceedings, the person is a first
73 offender. The order of expunction shall not preclude a district
74 attorney's office from retaining a nonpublic record thereof for



75 law enforcement purposes only. The existence of an order of
76 expunction shall not preclude an employer from asking a
77 prospective employee if the employee has had an order of
78 expunction entered on his behalf. The effect of the expunction
79 order shall be to restore the person, in the contemplation of the
80 law including those laws regulating qualified electors, to the
81 status he occupied before any arrest or indictment for which
82 convicted. No person as to whom an expunction order has been
83 entered shall be held thereafter under any provision of law to be
84 guilty of perjury or to have otherwise given a false statement by
85 reason of his failure to recite or acknowledge such arrest,
86 indictment or conviction in response to any inquiry made of him
87 for any purpose other than the purpose of determining, in any
88 subsequent proceedings under this section, whether the person is a
89 first offender. A person as to whom an order has been entered,
90 upon request, shall be required to advise the court, in camera, of
91 the previous conviction and expunction in any legal proceeding
92 wherein the person has been called as a prospective juror. The
93 court shall thereafter and before the selection of the jury advise
94 the attorneys representing the parties of the previous conviction
95 and expunction.

96 (4) Upon petition therefor, a justice, county, circuit or
97 municipal court shall expunge the record of any case in which an
98 arrest was made, the person arrested was released and the case was



99 dismissed or the charges were dropped or there was no disposition
100 of such case, or the person was found not guilty at trial.

101 (5) No public official is eligible for expunction under this
102 section for any conviction related to his official duties.

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

105 23-15-11. Every inhabitant of this state, except persons
106 adjudicated to be non compos mentis, who is a citizen of the
107 United States of America, eighteen (18) years old and upwards, who
108 has resided in this state for thirty (30) days and for thirty (30)
109 days in the county in which he or she seeks to vote, and for
110 thirty (30) days in the incorporated municipality in which he or
111 she seeks to vote, and who has been duly registered as an elector
112 under Section 23-15-33, and who has * * * not been convicted of
113 vote fraud * * *, of any crime listed in Section 241, Mississippi
114 Constitution of 1890, of any crimes interpreted as
115 disenfranchising in any Attorney General opinions or of any crime
116 not eligible for expungement under Section 99-19-71 shall be a
117 qualified elector in and for the county, municipality and voting
118 precinct of his or her residence, and shall be entitled to vote at
119 any election upon compliance with Section 23-15-563. Any person
120 whose conviction for a disenfranchising crime has been expunged,
121 who has not been convicted of any other disenfranchising crime and
122 who meets all other requirements to become a qualified elector in
123 this section shall be a qualified elector in and for the county,



124 municipality and voting precinct of his or her residence, and
125 shall be entitled to vote at any election upon compliance with
126 Section 23-15-563. If the thirtieth day to register before an
127 election falls on a Sunday or legal holiday, the registration
128 applications submitted on the business day immediately following
129 the Sunday or legal holiday shall be accepted and entered in the
130 Statewide Elections Management System for the purpose of enabling
131 voters to vote in the next election. Any person who will be
132 eighteen (18) years of age or older on or before the date of the
133 general election and who is duly registered to vote not less than
134 thirty (30) days before the primary election associated with the
135 general election, may vote in the primary election even though the
136 person has not reached his or her eighteenth birthday at the time
137 that the person seeks to vote at the primary election. No others
138 than those specified in this section shall be entitled, or shall
139 be allowed, to vote at any election.

140 **SECTION 3.** Section 23-15-151, Mississippi Code of 1972, is
141 amended as follows:

142 23-15-151. The circuit clerk of each county is authorized
143 and directed to prepare and keep in his or her office a full and
144 complete list, in alphabetical order, of persons convicted of
145 voter fraud * * *, of any crime listed in Section 241, Mississippi
146 Constitution of 1890 of any crimes interpreted as disenfranchising
147 in any Attorney General opinions or of any crime not eligible for
148 expungement in Section 99-19-71. A certified copy of any



149 enrollment by one clerk to another will be sufficient authority
150 for the enrollment of the name, or names, in another county. A
151 list of such persons convicted * * * shall also be entered into
152 the Statewide Elections Management System on a quarterly basis.
153 Voters who have been convicted in a Mississippi state court of any
154 disenfranchising crime are not qualified electors as defined by
155 Section 23-15-11 and shall be purged or otherwise removed by the
156 county registrar or county election commissioners from the
157 Statewide Elections Management System. Any person whose
158 conviction for a disenfranchising crime has been expunged, who has
159 not been convicted of any other disenfranchising crime and who
160 meets all other requirements in Section 23-15-11 as a qualified
161 elector shall be considered a qualified elector. Upon the request
162 of such person and proof of expungement, the county registrar or
163 county election commissioner shall enter the person's name into
164 the Statewide Elections Management System.

165 **SECTION 4.** Section 23-15-19, Mississippi Code of 1972, is
166 amended as follows:

167 23-15-19. (1) Any person who has been convicted of vote
168 fraud * * *, any crime listed in Section 241, Mississippi
169 Constitution of 1890, of any crimes interpreted as
170 disenfranchising in any Attorney General opinions or any crime not
171 eligible for expungement under Section 99-19-71, such crimes
172 defined as "disenfranchising," shall not be registered, or if
173 registered the name of the person shall be removed from the



174 Statewide Elections Management System by the registrar or the
175 election commissioners of the county of his or her residence.
176 Whenever any person shall be convicted in the circuit court of his
177 or her county of a disenfranchising crime, the county registrar
178 shall thereupon remove his or her name from the Statewide
179 Elections Management System; and whenever any person shall be
180 convicted of a disenfranchising crime in any other court of any
181 county, the presiding judge of the court shall, on demand, certify
182 the fact in writing to the registrar of the county in which the
183 voter resides, who shall thereupon remove the name of the person
184 from the Statewide Elections Management System and retain the
185 certificate as a record of his or her office.

186 (2) Any person whose conviction for a disenfranchising crime
187 has been expunged, who has not been convicted of any other
188 disenfranchising crime and who meets all other requirements in
189 Section 23-15-11 as a qualified elector shall be considered a
190 qualified elector. Upon the request of such person and proof of
191 expungement, the county registrar or county election commissioner
192 shall enter the person's name into the Statewide Elections
193 Management System.

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

196 23-15-125. The pollbook of each voting precinct shall
197 designate the voting precinct for which it is to be used, and
198 shall be ruled in appropriate columns, with printed or written



199 headings, as follows: date of registration; voter registration
200 number; name of electors; date of birth; and a number of blank
201 columns for the dates of elections. All qualified applicants who
202 register with the registrar shall be entered in the Statewide
203 Elections Management System. Only the names of those qualified
204 applicants who register within thirty (30) days before an election
205 shall appear on the pollbooks of the election; however, if the
206 thirtieth day to register before an election falls on a Sunday or
207 legal holiday, the registration applications submitted on the
208 business day immediately following the legal holiday shall be
209 accepted and entered in the Statewide Elections Management System
210 for the purpose of enabling voters to vote in the next election.
211 When county election commissioners determine that any elector is
212 disqualified from voting, by reason of death, conviction of a
213 disenfranchising crime, removal from the jurisdiction, or other
214 legal cause, that fact shall be noted in the Statewide Elections
215 Management System and the voter's name shall be removed from the
216 Statewide Elections Management System, the state's voter roll and
217 the county's pollbooks. Upon the request of any person whose
218 conviction for a disenfranchising crime has been expunged, who has
219 not been convicted of any other disenfranchising crime and who
220 meets all other requirements to become a qualified elector in
221 Section 23-15-11, the county registrar or county election
222 commissioner shall enter the person's name in the Statewide
223 Elections Management System, the state's voter roll and the



224 county's pollbooks. Nothing in this section shall preclude the
225 use of electronic pollbooks.

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

228 23-15-153. (1) At least during the following times, the
229 election commissioners shall meet at the office of the registrar
230 or the office of the election commissioners to carefully revise
231 the county voter roll as electronically maintained by the
232 Statewide Elections Management System and remove from the roll the
233 names of all voters who have requested to be purged from the voter
234 roll, died, received an adjudication of non compos mentis, been
235 convicted of a disenfranchising crime and had his or her right to
236 vote suspended, or otherwise become disqualified as electors for
237 any cause, and shall register the names of all persons who have
238 duly applied to be registered but have been illegally denied
239 registration:

240 (a) On the Tuesday after the second Monday in January
241 1987 and every following year;

242 (b) On the first Tuesday in the month immediately
243 preceding the first primary election for members of Congress in
244 the years when members of Congress are elected;

245 (c) On the first Monday in the month immediately
246 preceding the first primary election for state, state district
247 legislative, county and county district offices in the years in
248 which those offices are elected; and



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

252 Except for the names of those voters who are duly qualified
253 to vote in the election, no name shall be permitted to remain in
254 the Statewide Elections Management System; however, no name shall
255 be purged from the Statewide Elections Management System based on
256 a change in the residence of an elector except in accordance with
257 procedures provided for by the National Voter Registration Act of
258 1993. Except as otherwise provided by Section 23-15-573, no
259 person shall vote at any election whose name is not in the county
260 voter roll electronically maintained by the Statewide Elections
261 Management System.

262 (2) Except as provided in this section, and subject to the
263 following annual limitations, the election commissioners shall be
264 entitled to receive a per diem in the amount of One Hundred
265 Dollars (\$100.00), to be paid from the county general fund, for
266 every day or period of no less than five (5) hours accumulated
267 over two (2) or more days actually employed in the performance of
268 their duties in the conduct of an election or actually employed in
269 the performance of their duties for the necessary time spent in
270 the revision of the county voter roll as electronically maintained
271 by the Statewide Elections Management System as required in
272 subsection (1) of this section:



273 (a) In counties having less than fifteen thousand
274 (15,000) residents according to the latest federal decennial
275 census, not more than fifty (50) days per year, with no more than
276 fifteen (15) additional days allowed for the conduct of each
277 election in excess of one (1) occurring in any calendar year;

278 (b) In counties having fifteen thousand (15,000)
279 residents according to the latest federal decennial census but
280 less than thirty thousand (30,000) residents according to the
281 latest federal decennial census, not more than seventy-five (75)
282 days per year, with no more than twenty-five (25) additional days
283 allowed for the conduct of each election in excess of one (1)
284 occurring in any calendar year;

285 (c) In counties having thirty thousand (30,000)
286 residents according to the latest federal decennial census but
287 less than seventy thousand (70,000) residents according to the
288 latest federal decennial census, not more than one hundred (100)
289 days per year, with no more than thirty-five (35) additional days
290 allowed for the conduct of each election in excess of one (1)
291 occurring in any calendar year;

292 (d) In counties having seventy thousand (70,000)
293 residents according to the latest federal decennial census but
294 less than ninety thousand (90,000) residents according to the
295 latest federal decennial census, not more than one hundred
296 twenty-five (125) days per year, with no more than forty-five (45)



297 additional days allowed for the conduct of each election in excess
298 of one (1) occurring in any calendar year;

299 (e) In counties having ninety thousand (90,000)
300 residents according to the latest federal decennial census but
301 less than one hundred seventy thousand (170,000) residents
302 according to the latest federal decennial census, not more than
303 one hundred fifty (150) days per year, with no more than
304 fifty-five (55) additional days allowed for the conduct of each
305 election in excess of one (1) occurring in any calendar year;

306 (f) In counties having one hundred seventy thousand
307 (170,000) residents according to the latest federal decennial
308 census but less than two hundred thousand (200,000) residents
309 according to the latest federal decennial census, not more than
310 one hundred seventy-five (175) days per year, with no more than
311 sixty-five (65) additional days allowed for the conduct of each
312 election in excess of one (1) occurring in any calendar year;

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

320 (h) In counties having two hundred twenty-five thousand
321 (225,000) residents according to the latest federal decennial



322 census but less than two hundred fifty thousand (250,000)
323 residents according to the latest federal decennial census, not
324 more than two hundred fifteen (215) days per year, with no more
325 than eighty-five (85) additional days allowed for the conduct of
326 each election in excess of one (1) occurring in any calendar year;

327 (i) In counties having two hundred fifty thousand
328 (250,000) residents according to the latest federal decennial
329 census but less than two hundred seventy-five thousand (275,000)
330 residents according to the latest federal decennial census, not
331 more than two hundred thirty (230) days per year, with no more
332 than ninety-five (95) additional days allowed for the conduct of
333 each election in excess of one (1) occurring in any calendar year;

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

340 (3) In addition to the number of days authorized in
341 subsection (2) of this section, the board of supervisors of a
342 county may authorize, in its discretion, the election
343 commissioners to receive a per diem in the amount provided for in
344 subsection (2) of this section, to be paid from the county general
345 fund, for every day or period of no less than five (5) hours
346 accumulated over two (2) or more days actually employed in the



347 performance of their duties in the conduct of an election or
348 actually employed in the performance of their duties for the
349 necessary time spent in the revision of the county voter roll as
350 electronically maintained by the Statewide Elections Management
351 System as required in subsection (1) of this section, not to
352 exceed five (5) days.

353 (4) (a) The election commissioners shall be entitled to
354 receive a per diem in the amount of One Hundred Dollars (\$100.00),
355 to be paid from the county general fund, not to exceed ten (10)
356 days for every day or period of no less than five (5) hours
357 accumulated over two (2) or more days actually employed in the
358 performance of their duties for the necessary time spent in the
359 revision of the county voter roll as electronically maintained by
360 the Statewide Elections Management System before any special
361 election. For purposes of this paragraph, the regular special
362 election day shall not be considered a special election. The
363 annual limitations set forth in subsection (2) of this section
364 shall not apply to this paragraph.

365 (b) The election commissioners shall be entitled to
366 receive a per diem in the amount of One Hundred Fifty Dollars
367 (\$150.00), to be paid from the county general fund, for the
368 performance of their duties on the day of any primary, runoff,
369 general or special election. The annual limitations set forth in
370 subsection (2) of this section shall apply to this paragraph.



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

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

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

392 (7) In preparation for a municipal primary, runoff, general
393 or special election, the county registrar shall generate and
394 distribute the master voter roll and pollbooks from the Statewide
395 Elections Management System for the municipality located within



396 the county. The municipality shall pay the county registrar for
397 the actual cost of preparing and printing the municipal master
398 voter roll pollbooks. A municipality may secure "read only"
399 access to the Statewide Elections Management System and print its
400 own pollbooks using this information.

401 (8) County election commissioners who perform the duties of
402 an executive committee with regard to the conduct of a primary
403 election under a written agreement authorized by law to be entered
404 into with an executive committee shall receive per diem as
405 provided for in subsection (2) of this section. The days that
406 county election commissioners are employed in the conduct of a
407 primary election shall be treated the same as days county election
408 commissioners are employed in the conduct of other elections.

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

413 (10) Every election commissioner shall sign personally a
414 certification setting forth the number of hours actually worked in
415 the performance of the commissioner's official duties and for
416 which the commissioner seeks compensation. The certification must
417 be on a form as prescribed in this subsection. The commissioner's
418 signature is, as a matter of law, made under the commissioner's
419 oath of office and under penalties of perjury.

420 The certification form shall be as follows:



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COUNTY ELECTION COMMISSIONER

PER DIEM CLAIM FORM

NAME: _____ COUNTY: _____

ADDRESS: _____ DISTRICT: _____

CITY: _____ ZIP: _____

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

TOTAL NUMBER OF PER DIEM DAYS EARNED

EXCLUDING ELECTION DAYS _____

PER DIEM RATE PER DAY EARNED X \$100.00

TOTAL NUMBER PER DIEM DAYS EARNED

FOR ELECTION DAYS _____

PER DIEM RATE PER DAY EARNED X \$150.00

TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

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

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

Signed this the _____ day of _____, ____.



446 Commissioner's Signature

447 When properly completed and signed, the certification must be
448 filed with the clerk of the county board of supervisors before any
449 payment may be made. The certification will be a public record
450 available for inspection and reproduction immediately upon the
451 oral or written request of any person.

452 Any person may contest the accuracy of the certification in
453 any respect by notifying the chair of the commission, any member
454 of the board of supervisors or the clerk of the board of
455 supervisors of the contest at any time before or after payment is
456 made. If the contest is made before payment is made, no payment
457 shall be made as to the contested certificate until the contest is
458 finally disposed of. The person filing the contest shall be
459 entitled to a full hearing, and the clerk of the board of
460 supervisors shall issue subpoenas upon request of the contestor
461 compelling the attendance of witnesses and production of documents
462 and things. The contestor shall have the right to appeal de novo
463 to the circuit court of the involved county, which appeal must be
464 perfected within thirty (30) days from a final decision of the
465 commission, the clerk of the board of supervisors or the board of
466 supervisors, as the case may be.

467 Any contestor who successfully contests any certification
468 will be awarded all expenses incident to his or her contest,
469 together with reasonable attorney's fees, which will be awarded
470 upon petition to the chancery court of the involved county upon



471 final disposition of the contest before the election commission,
472 board of supervisors, clerk of the board of supervisors, or, in
473 case of an appeal, final disposition by the court. The
474 commissioner against whom the contest is decided shall be liable
475 for the payment of the expenses and attorney's fees, and the
476 county shall be jointly and severally liable for same.

477 (11) Any election commissioner who has not received a
478 certificate issued by the Secretary of State pursuant to Section
479 23-15-211 indicating that the election commissioner has received
480 the required elections seminar instruction and that the election
481 commissioner is fully qualified to conduct an election, shall not
482 receive any compensation authorized by this section or Section
483 23-15-239.

484 **SECTION 7.** Section 23-15-165, Mississippi Code of 1972, is
485 amended as follows:

486 23-15-165. (1) The Office of the Secretary of State, in
487 cooperation with the county registrars and election commissioners,
488 shall procure, implement and maintain an electronic information
489 processing system and programs capable of maintaining a
490 centralized database of all registered voters in the state. The
491 system shall encompass software and hardware, at both the state
492 and county level, software development training, conversion and
493 support and maintenance for the system. This system shall be
494 known as the "Statewide Elections Management System" and shall



495 constitute the official record of registered voters in every
496 county of the state.

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

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

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

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

508 (d) Retain all present functionality related to, but
509 not limited to, the use of voter roll data and to implement such
510 other functionality as the law requires to enhance the maintenance
511 of accurate county voter records and related jury selection and
512 redistricting programs * * *; and

513 (e) Receive regular reports of voters who have
514 satisfied all of the sentencing requirements of his or her
515 conviction and automatically restore the voter's name into the
516 Statewide Elections Management System, the state's voter roll and
517 the county's pollbooks.

518 (3) As a part of the procurement and implementation of the
519 system, the Office of the Secretary of State shall, with the



520 assistance of the advisory committee, procure services necessary
521 to convert current voter registration records in the counties into
522 a standard, industry accepted file format that can be used on the
523 Statewide Elections Management System. Thereafter, all official
524 voter information shall be maintained on the Statewide Elections
525 Management System. The standard industry accepted format of data
526 was reviewed and approved by a majority of the advisory committee
527 created in subsection (5) of this section after consultation with
528 the Circuit Clerks Association and the format may not be changed
529 without consulting the Circuit Clerks Association.

530 (4) The Secretary of State may, with the assistance of the
531 advisory committee, adopt rules and regulations necessary to
532 administer the Statewide Elections Management System. The rules
533 and regulations shall at least:

534 (a) Provide for the establishment and maintenance of a
535 centralized database for all voter registration information in the
536 state;

537 (b) Provide procedures for integrating data into the
538 centralized database;

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

543 (d) Provide the registrar or his or her designee or
544 other appropriate official, as the law may require, access to the



545 system at all times, including the ability to download copies of
546 the industry standard file, for all purposes related to their
547 official duties, including, but not limited to, exclusive access
548 for the purpose of printing all local pollbooks;

549 (e) Provide security and protection of all information
550 in the system and monitor the system to ensure that unauthorized
551 access is not allowed;

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

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

559 (5) The Secretary of State established an advisory committee
560 to assist in developing system specifications, procurement,
561 implementation and maintenance of the Statewide Elections
562 Management System. The committee included two (2) representatives
563 from the Circuit Clerks Association, appointed by the association;
564 two (2) representatives from the Election Commissioners
565 Association of Mississippi, appointed by the association; one (1)
566 member of the Mississippi Association of Supervisors, or its
567 staff, appointed by the association; the Director of the Stennis
568 Institute of Government at Mississippi State University, or his or
569 her designee; the Executive Director of the Department of



570 Information Technology Services, or his or her designee; two (2)
571 persons knowledgeable about elections and information technology
572 appointed by the Secretary of State; and the Secretary of State,
573 who shall serve as the chair of the advisory committee.

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

579 (b) Copies of statewide, district, county or municipal
580 voter registration files, excluding social security numbers,
581 telephone numbers and date of birth and age information, shall be
582 provided to any person in accordance with the Mississippi Public
583 Records Act of 1983 at a cost not to exceed the actual cost of
584 production.

585 **SECTION 8.** Section 99-19-37, Mississippi Code of 1972, is
586 amended as follows:

587 99-19-37. (1) Any person who has lost the right of suffrage
588 by reason of conviction of crime, has not had such conviction
589 expunged and has not been pardoned therefrom, who thereafter
590 served honorably in any branch of the Armed Forces of the United
591 States during the periods of World War I or World War II as
592 hereinafter defined and shall have received an honorable
593 discharge, or release therefrom, shall by reason of such honorable
594 service, have the full right of suffrage restored, provided,



595 however, this does not apply to any one having an unfinished or
596 suspended sentence.

597 (2) For the purposes of this section the period of World War
598 I shall be from April 6, 1917 to December 1, 1918, and the period
599 of World War II shall be from December 7, 1941 to December 31,
600 1946.

601 (3) In order to have restored, and to exercise, the right of
602 franchise under the provisions of this section a person affected
603 hereby shall have his or her discharge, or release, from the Armed
604 Forces of the United States recorded in the office of the chancery
605 clerk of the county in which such person desires to exercise the
606 right of franchise and if such discharge, or release, appears to
607 be an honorable discharge, or release, and shows such person to
608 have served honorably during either of the periods stated in
609 subsection (2) of this section such person shall have the full
610 right of suffrage restored as though an act had been passed by the
611 Legislature in accordance with Section 253 of the Constitution of
612 the State of Mississippi restoring the right of suffrage to such
613 person.

614 **SECTION 9.** Section 97-39-3, Mississippi Code of 1972, is
615 amended as follows:

616 97-39-3. If any person shall fight a duel, or give or accept
617 a challenge to fight a duel, or knowingly carry or deliver such
618 challenge or the acceptance thereof, or be second to either party
619 to any duel, whether such act be done in the state or out of it,



620 or who shall go out of the state to fight a duel, or to assist in
621 the same as second, or to send, accept, or carry a challenge,
622 shall be disqualified from holding any office, * * * and incapable
623 of holding or being elected to any post of honor, profit or
624 emolument, civil or military, under the constitution and laws of
625 this state; and the appointment of any such person to office, as
626 also all votes given to any such person, are illegal, and none of
627 the votes given to such person for any office shall be taken or
628 counted.

629 **SECTION 10.** This act shall take effect and be in force from
630 and after July 1, 2022.

