

By: Representative Eubanks

To: Apportionment and Elections

HOUSE BILL NO. 950

1 AN ACT TO AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972,  
 2 TO PROVIDE THAT THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM SHALL BE  
 3 COMPARED TO THE IDENTIFICATION DATABASES TO ENSURE NON-UNITED  
 4 STATES CITIZENS ARE NOT REGISTERED TO VOTE; TO PROVIDE THE  
 5 NOTIFICATION REQUIRED WHEN A NON-UNITED STATES CITIZEN IS FOUND TO  
 6 BE REGISTERED TO VOTE; TO PROVIDE THE DOCUMENTATION THAT MUST BE  
 7 SUBMITTED AS PROOF OF CITIZENSHIP; TO AMEND SECTION 23-15-165,  
 8 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND  
 9 FOR RELATED PURPOSES.

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

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

13 23-15-15. \* \* \* (1) The Statewide Elections Management  
 14 System shall be compared with the Department of Public Safety  
 15 driver's license database to ensure non-United States citizens are  
 16 not registered to vote in this state. The Statewide Elections  
 17 Management System shall notify the registrar, or his or her  
 18 designee, of the county in which the person attempted to register  
 19 to vote that the attempted voter may not be a citizen of the  
 20 United States. If a person who has submitted a voter registration  
 21 application is flagged in the database as a potential noncitizen,



22 the county registrar shall enter the person's information into the  
23 United States Citizenship and Immigration Service's Systematic  
24 Alien Verification for Entitlements (SAVE) or its successor  
25 database for further inquiry.

26 (2) If, after following the procedures provided in  
27 subsection (1) of this section, both the Department of Public  
28 Safety driver's license database and SAVE indicate that the person  
29 is a noncitizen, the registrar, or his or her designee, shall send  
30 a notice to the attempted voter that he or she has been flagged as  
31 a noncitizen. Any attempted voter who receives the notice shall,  
32 within thirty (30) days of the receipt of such notice, provide  
33 proof of citizenship to the registrar or his or her designee. For  
34 purposes of this subsection (2), proof of citizenship includes,  
35 but is not limited to:

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

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

41 (c) The attempted voter's United States naturalization  
42 documentation, a legible photocopy of the naturalization  
43 documentation or the number of the voter's certificate of  
44 naturalization; however, the number of the certificate of  
45 naturalization shall not be considered proof of citizenship until  
46 the Secretary of State verifies the number with the United States



47 Citizenship and Immigration Services in the Department of Homeland  
48 Security or its successor; or

49 (d) Any document or method of proof of citizenship  
50 established by the federal Immigration Reform and Control Act of  
51 1986, Public Law No. 99-603, compiled in 8 USCS Section 1101 et  
52 seq.

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

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

70 (5) All documentation provided to show proof of citizenship  
71 as well as the Department of Public Safety database or relevant



72 federal and state agency and county records shall be confidential  
73 and shall not be subject to inspection, examination, copying or  
74 reproduction under the Mississippi Public Records Act of 1983.

75 (6) On or before July 1, 2023, the Secretary of State shall  
76 compare the entire Statewide Elections Management System to the  
77 Department of Public Safety driver's license database and follow  
78 the procedures set forth in subsections (1) and (2) of this  
79 section as applicable.

80 (7) The Secretary of State shall promulgate rules and  
81 regulations as necessary to effectuate the provisions of this  
82 section.

83 **SECTION 2.** Section 23-15-165, Mississippi Code of 1972, is  
84 amended as follows:

85 23-15-165. (1) The Office of the Secretary of State, in  
86 cooperation with the county registrars and election commissioners,  
87 shall procure, implement and maintain an electronic information  
88 processing system and programs capable of maintaining a  
89 centralized database of all registered voters in the state. The  
90 system shall encompass software and hardware, at both the state  
91 and county level, software development training, conversion and  
92 support and maintenance for the system. This system shall be  
93 known as the "Statewide Elections Management System" and shall  
94 constitute the official record of registered voters in every  
95 county of the state.



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

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

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

103 (c) Receive regular reports of death, changes of  
104 address and convictions for disenfranchising crimes that apply to  
105 voters registered in the county; \* \* \*

106 (d) Retain all present functionality related to, but  
107 not limited to, the use of voter roll data and to implement such  
108 other functionality as the law requires to enhance the maintenance  
109 of accurate county voter records and related jury selection and  
110 redistricting programs \* \* \*; and

111 (e) When evidence exists as provided in Section  
112 23-15-15 that a particular registered voter may not be a citizen  
113 of the United States, send notification to the registrar of the  
114 location where the person is registered to vote.

115 (3) As a part of the procurement and implementation of the  
116 system, the Office of the Secretary of State shall, with the  
117 assistance of the advisory committee, procure services necessary  
118 to convert current voter registration records in the counties into  
119 a standard, industry accepted file format that can be used on the  
120 Statewide Elections Management System. Thereafter, all official



121 voter information shall be maintained on the Statewide Elections  
122 Management System. The standard industry accepted format of data  
123 was reviewed and approved by a majority of the advisory committee  
124 created in subsection (5) of this section after consultation with  
125 the Circuit Clerks Association and the format may not be changed  
126 without consulting the Circuit Clerks Association.

127 (4) The Secretary of State may, with the assistance of the  
128 advisory committee, adopt rules and regulations necessary to  
129 administer the Statewide Elections Management System. The rules  
130 and regulations shall at least:

131 (a) Provide for the establishment and maintenance of a  
132 centralized database for all voter registration information in the  
133 state;

134 (b) Provide procedures for integrating data into the  
135 centralized database;

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

140 (d) Provide the registrar or his or her designee or  
141 other appropriate official, as the law may require, access to the  
142 system at all times, including the ability to download copies of  
143 the industry standard file, for all purposes related to their  
144 official duties, including, but not limited to, exclusive access  
145 for the purpose of printing all local pollbooks;



146           (e) Provide security and protection of all information  
147 in the system and monitor the system to ensure that unauthorized  
148 access is not allowed;

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

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

156           (5) The Secretary of State established an advisory committee  
157 to assist in developing system specifications, procurement,  
158 implementation and maintenance of the Statewide Elections  
159 Management System. The committee included two (2) representatives  
160 from the Circuit Clerks Association, appointed by the association;  
161 two (2) representatives from the Election Commissioners  
162 Association of Mississippi, appointed by the association; one (1)  
163 member of the Mississippi Association of Supervisors, or its  
164 staff, appointed by the association; the Director of the Stennis  
165 Institute of Government at Mississippi State University, or his or  
166 her designee; the Executive Director of the Department of  
167 Information Technology Services, or his or her designee; two (2)  
168 persons knowledgeable about elections and information technology  
169 appointed by the Secretary of State; and the Secretary of State,  
170 who shall serve as the chair of the advisory committee.



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

176           (b) Copies of statewide, district, county or municipal  
177 voter registration files, excluding social security numbers,  
178 telephone numbers and date of birth and age information, shall be  
179 provided to any person in accordance with the Mississippi Public  
180 Records Act of 1983 at a cost not to exceed the actual cost of  
181 production.

182           **SECTION 3.** This act shall take effect and be in force from  
183 and after July 1, 2022.

