HOUSE BILL NO. 1510
(As Sent to Governor)

AN ACT TO AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REGISTRAR UPON RECEIVING A COMPLETED VOTER REGISTRATION APPLICATION TO ENTER AN APPLICANT INTO THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE THAT THE REGISTRATION APPLICATION SHALL BE COMPARED WITH THE DEPARTMENT OF PUBLIC SAFETY DRIVER'S LICENSE AND IDENTIFICATION INFORMATION; TO REQUIRE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM TO NOTIFY THE REGISTRAR IF SUCH INFORMATION REFLECTS THAT THE APPLICANT IS NOT A CITIZEN OF THE UNITED STATES; TO REQUIRE THE REGISTRAR TO NOTIFY CERTAIN APPLICANTS; TO REQUIRE AN APPLICANT WHO RECEIVES NOTICE UNDER THIS SECTION TO PROVIDE PROOF OF CITIZENSHIP TO THE REGISTRAR; TO PROVIDE THE DOCUMENTATION THAT MAY BE SUBMITTED AS PROOF OF CITIZENSHIP; TO REQUIRE THE REGISTRAR TO MARK THE APPLICANT AS REJECTED WHERE THE APPLICANT FAILS TO RESPOND TO THE NOTICE OR TO PROVIDE PROOF OF CITIZENSHIP WITHIN A CERTAIN PERIOD OF TIME; TO ESTABLISH AN APPEAL PROCEDURE; TO AMEND SECTION 23-15-5, MISSISSIPPI CODE OF 1972, TO REVISE THE MONIES THAT ARE DEPOSITED INTO THE ELECTIONS SUPPORT FUND; AND FOR RELATED PURPOSES.

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

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

23-15-15. * * * (l) Upon receiving a completed voter registration application, the registrar shall enter the applicant into the Statewide Elections Management System. Said registration application shall be compared with the Department of Public Safety driver's license and identification information. If such
information indicates that a particular applicant is not a citizen
of the United States, the Statewide Elections Management System
shall notify the registrar, or his or her designee, that the
applicant may not be a citizen of the United States.

(2) After receiving the notice from the Statewide Elections
Management System as provided in subsection (1) of this section,
the registrar, or his or her designee, shall:

(a) Enter the applicant's information into the United
States Citizenship and Immigration Service's Systematic Alien
Verification for Entitlements (SAVE) or its successor database for
further inquiry; and

(b) If both the Department of Public Safety driver's
license and identification information and the database in
paragraph (a) of this subsection indicate that the applicant is
not a citizen, send a notice by first-class mail to the
applicant's mailing address provided on the voter registration
application inquiring whether the individual is eligible to be
registered to vote. The registrar may, in addition to first-class
mail, contact the applicant by email or telephone.

(3) Any applicant who receives the notice under subsection
(2)(b) of this section shall, within thirty (30) days of the
receipt of such notice, provide proof of citizenship to the
registrar or his or her designee.

(4) For purposes of this section, proof of citizenship
includes, but is not limited to:
(a) The applicant's birth certificate or a legible photocopy of the birth certificate;

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

(c) The applicant's United States naturalization documentation, a legible photocopy of the naturalization documentation, or the number of the applicant's Certificate of Naturalization; except that any person who provides the number of the Certificate of Naturalization in lieu of the naturalization documentation shall not be deemed to have provided proof of citizenship until the number is verified with the United States Citizenship and Immigration Services in the Department of Homeland Security or its successor; or

(d) Any document or method of proof of citizenship established by the Federal Immigration Reform and Control Act of 1986, Public Law 99-603, compiled in 8 USC Section 1101 et seq.

(5) If the applicant provides proof of citizenship and meets all other qualifications provided by law, the registrar shall register the applicant to vote.

(6) If the applicant does not reply to the notice or provide proof of citizenship, the registrar of the county, or his or her designee, where the person registered to vote shall mark the applicant as "PENDING" in the Statewide Elections Management System until the next federal general election:
(a) A voter in pending status may cast an affidavit ballot. The affidavit ballot shall be considered if the voter provides the required documentation under subsection (4) of this section to the registrar within five (5) days of casting the affidavit ballot.

(b) If the applicant fails to respond to the notice or cast an affidavit ballot and provide the proof described in subsection (4) of this section by the next federal general election, the registrar shall mark the applicant as "REJECTED" in the Statewide Election Management System.

SECTION 2. Section 23-15-5, Mississippi Code of 1972, is amended as follows:

23-15-5. (1) There is created in the State Treasury a special fund to be known as the Elections Support Fund. Monies derived from annual report fees imposed upon limited liability companies under Section 79-29-1203 shall be deposited into the Elections Support Fund. Unexpended amounts remaining in the fund at the end of the fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be disbursed as provided in subsection (2) of this section. The expenditure of monies in the fund shall be under the direction of the Secretary of State as provided by subsection (2) of this section, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration.
(2) (a) Monies in the fund shall be used as follows:

(i) Seventy percent (70%) of the monies in the special fund shall be distributed annually to the counties, upon appropriation of the Legislature, based on the proportion that the population of a county bears to the total population in all counties of the state population according to the most recent information from the United States Census Bureau, and held in a separate fund solely for the purpose of acquiring, upgrading, maintaining or repairing voting equipment, systems and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems, employing such personnel to conduct an election, and training election officials; and

(ii) The remaining thirty percent (30%) of the monies in the special fund shall be deposited in the State General Fund.

(b) The Secretary of State shall create standard training guidelines to assist counties in training election officials with the funds authorized under subsection (2)(a)(ii) of this section. Any criteria established by the Secretary of State for the purposes of this section shall be used in addition to any other training or coursework prescribed by the Secretary of State to train circuit clerks, poll managers and any other election officials participating in county elections.

(c) Notwithstanding any other provision of law, no monies from the Elections Support Fund shall be used by the
Secretary of State or any person associated with the Office of the Secretary of State to provide or otherwise support expert testimony in any manner for any hearing, trial or election contest.

(3) From and after July 1, 2017, none of the monies deposited in the Elections Support Fund may be used to reimburse or otherwise defray any costs that the Office of the Secretary of State may incur in administering the fund.

(4) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 3. This act shall take effect and be in force from and after its passage.