

By: Representative Banks

To: Constitution; Rules

HOUSE CONCURRENT RESOLUTION NO. 42

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
 2 241, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT A PERSON
 3 WHO IS OTHERWISE A QUALIFIED ELECTOR AND HAS BEEN CONVICTED OF A
 4 FELONY SHALL HAVE HIS OR HER RIGHT TO VOTE SUSPENDED UPON
 5 CONVICTION AND SHALL NOT HAVE HIS OR HER RIGHT TO VOTE RESTORED
 6 UNTIL HE OR SHE HAS SATISFIED ALL OF THE SENTENCING REQUIREMENTS
 7 OF THE CONVICTION; AND PROPOSING THE REPEAL OF SECTION 253,
 8 MISSISSIPPI CONSTITUTION OF 1890, WHICH PROVIDES THAT THE
 9 LEGISLATURE MAY, BY A TWO-THIRDS VOTE OF BOTH HOUSES, OF ALL
 10 MEMBERS ELECTED, RESTORE THE RIGHT OF SUFFRAGE TO ANY PERSON
 11 DISQUALIFIED BY REASON OF CRIME.

12 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
 13 MISSISSIPPI, That the following amendments to the Mississippi
 14 Constitution of 1890 are proposed to the qualified electors of the
 15 state:

I.

17 Amend Section 241, Mississippi Constitution of 1890, to read
 18 as follows:

19 "Section 241. (1) Every inhabitant of this state, except
 20 idiots and insane persons, shall be a qualified elector if he or
 21 she is:



22 (a) * * * A citizen of the United States of
23 America * * *;
24 (b) Eighteen (18) years old and upward * * *;
25 (c) * * * A resident of this state for one (1) year,
26 and for one (1) year in the county in which he or she offers to
27 vote, and for six (6) months in the election precinct or in the
28 incorporated city or town in which he or she offers to vote * * *;
29 and
30 (d) * * * Duly registered as provided in this
31 article * * *.

32 (2) A person who is otherwise a qualified elector under the
33 provisions of subsection (1) and has been convicted of a felony
34 shall have his or her right to vote suspended upon conviction and
35 shall not have his or her right to vote restored until he or she
36 has satisfied all of the sentencing requirements of the
37 conviction.

38 (3) * * * A person shall be qualified to vote for President
39 and Vice President of the United States if he or she meets the
40 requirements established by Congress therefor and is otherwise a
41 qualified elector."

42 II.

43 Amend the Mississippi Constitution of 1890 by repealing
44 Section 253, which reads as follows:

45 "Section 253. The Legislature may, by a two-thirds vote of
46 both houses, of all members elected, restore the right of suffrage



47 to any person disqualified by reason of crime; but the reasons
48 therefor shall be spread upon the journals, and the vote shall be
49 by yeas and nays."

50 BE IT FURTHER RESOLVED, That these proposed amendments shall
51 be submitted by the Secretary of State to the qualified electors
52 at an election to be held on the first Tuesday after the first
53 Monday of November 2022, as provided by Section 273 of the
54 Constitution and by general law, with the amendments in this
55 resolution being voted on as one (1) amendment since the proposed
56 amendments pertain to one (1) subject.

57 BE IT FURTHER RESOLVED, That the explanation of this proposed
58 amendment for the ballot shall read as follows: "This proposed
59 constitutional amendment provides that a person who is otherwise a
60 qualified elector and has been convicted of a felony shall have
61 his or her right to vote suspended upon conviction and shall not
62 have his or her right to vote restored until he or she has
63 satisfied all of the sentencing requirements of the conviction."

