

By: Senator(s) Jordan

To: Elections; Constitution

SENATE BILL NO. 2290

1 AN ACT TO CREATE NEW CODE SECTION 23-15-2, MISSISSIPPI CODE
2 OF 1972, TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS
3 DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME;
4 TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER
5 COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE
6 IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO
7 PROVIDE FOR THE ISSUANCE OF A CERTIFICATE OF RESTORATION TO THE
8 PERSON; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO
9 CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO
10 PROHIBIT THE REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE
11 ELECTIONS MANAGEMENT SYSTEM UNLESS THE PERSON IS SERVING A TERM OF
12 INCARCERATION OR PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME
13 OF REMOVAL; TO PROVIDE THAT A COURT'S CERTIFICATION OF A
14 CONVICTION FOR PURPOSES OF REMOVAL FROM THE STATEWIDE ELECTIONS
15 MANAGEMENT SYSTEM MUST INDICATE THE TYPE OF SENTENCE IMPOSED; TO
16 AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
17 THE CIRCUIT CLERK'S ENROLLMENT BOOK LISTING THE NAMES OF PERSONS
18 CONVICTED OF DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE
19 THE NAMES OF THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND
20 SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO
21 PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A
22 MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND
23 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY
24 OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE
25 THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT IS NOT
26 DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS
27 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO
28 PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT
29 TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS
30 WHICH WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS
31 RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION
32 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY
33 OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN
34 A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY



35 WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; TO BRING FORWARD
36 SECTION 23-15-573, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE
37 PROCEDURE FOR CASTING AN AFFIDAVIT BALLOT, FOR PURPOSES OF
38 POSSIBLE AMENDMENT; TO AMEND SECTION 99-19-35, MISSISSIPPI CODE OF
39 1972, TO ALLOW CERTAIN ELECTORS WHO HAVE BEEN RESTORED THEIR CIVIL
40 RIGHTS AFTER CERTAIN FELONY CONVICTIONS TO SERVE IN CERTAIN
41 OFFICIAL CAPACITIES; AND FOR RELATED PURPOSES.

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

43 **SECTION 1.** The following shall be codified as Section
44 23-15-2, Mississippi Code of 1972:

45 23-15-2. (1) The right of suffrage is hereby fully and
46 completely restored to any person disqualified by reason of
47 conviction for vote fraud or of any crime listed in Section 241,
48 Mississippi Constitution of 1890, as follows:

49 (a) Upon the completion of the term of incarceration
50 imposed by the sentencing court, including any period of time to
51 be served on parole for such crime;

52 (b) Immediately upon imposition of sentence by the
53 sentencing court if sentenced solely to a term of probation for
54 such crime; or

55 (c) As provided in subsection (2) of this section.

56 (2) A certificate of restoration that is issued by the
57 Mississippi Department of Corrections, the Mississippi Parole
58 Board or the court of original jurisdiction is sufficient evidence
59 to prove that a person is not disqualified to register to vote
60 based on a conviction of a disenfranchising crime. A person who
61 presents a certificate of restoration, a gubernatorial pardon or a
62 suffrage bill, or who swears or affirms that the person's right of
63 suffrage has been restored shall not be denied the right to



64 register to vote or to cast a ballot based upon a conviction of a
65 disenfranchising crime.

66 (3) At a minimum, the certificate of restoration must
67 provide:

68 (a) The person to whom the certificate is issued has
69 satisfied the conditions imposed in this section; and

70 (b) The agency or court issuing the certificate of
71 restoration has verified that the person has not been convicted of
72 another disenfranchising offense other than the one subject to the
73 certificate.

74 (4) Any person qualifying under this section shall have the
75 full right of suffrage restored as though an act had been passed
76 by the Legislature in accordance with Section 253, Mississippi
77 Constitution of 1890, restoring the right of suffrage to such
78 person.

79 (5) A certificate of restoration restores all civil rights,
80 including, but not limited to, civil service status, the right to
81 vote, rights relating to the granting renewal, forfeiture or
82 denial of a license, permit, privilege or benefit pursuant to any
83 law, or the right to enter into contractual relationships and to
84 manage the person's own property.

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

87 23-15-11. Every inhabitant of this state, except persons
88 adjudicated to be non compos mentis, who is a citizen of the



89 United States of America, eighteen (18) years old and upwards, who
90 has resided in this state for thirty (30) days and for thirty (30)
91 days in the county in which he or she seeks to vote, and for
92 thirty (30) days in the incorporated municipality in which he or
93 she seeks to vote, and who has been duly registered as an elector
94 under Section 23-15-33, and who * * *, if convicted of vote fraud
95 or of any crime listed in Section 241, Mississippi Constitution of
96 1890, has been restored the right of suffrage as provided in
97 Section 23-15-2, shall be a qualified elector in and for the
98 county, municipality and voting precinct of his or her residence,
99 and shall be entitled to vote at any election upon compliance with
100 Section 23-15-563. If the thirtieth day to register before an
101 election falls on a Sunday or legal holiday, the registration
102 applications submitted on the business day immediately following
103 the Sunday or legal holiday shall be accepted and entered in the
104 Statewide Elections Management System for the purpose of enabling
105 voters to vote in the next election. Any person who will be
106 eighteen (18) years of age or older on or before the date of the
107 general election and who is duly registered to vote not less than
108 thirty (30) days before the primary election associated with the
109 general election, may vote in the primary election even though the
110 person has not reached his or her eighteenth birthday at the time
111 that the person seeks to vote at the primary election. No others
112 than those specified in this section shall be entitled, or shall
113 be allowed, to vote at any election.



114 **SECTION 3.** Section 23-15-19, Mississippi Code of 1972, is
115 amended as follows:
116 23-15-19. (1) Except as provided in subsection (2) of this
117 section, any person who has been convicted of vote fraud or any
118 crime listed in Section 241, Mississippi Constitution of 1890,
119 such crimes defined as "disenfranchising," shall not be
120 registered * * *. If registered, the name of the person convicted
121 of a disenfranchising crime shall be removed from the Statewide
122 Elections Management System by the registrar or the election
123 commissioners of the county of his or her residence if at the time
124 of removal, the person is serving a term of incarceration or
125 parole for such crime. Except as provided in subsection (2) of
126 this section, whenever any person shall be convicted in the
127 circuit court of his or her county of a disenfranchising crime,
128 the county registrar shall thereupon remove his or her name from
129 the Statewide Elections Management System * * *. Except as
130 provided in subsection (2) of this section, whenever any person
131 shall be convicted of a disenfranchising crime in any other court
132 of any county, the presiding judge of the court shall, on demand,
133 certify the * * * conviction and sentence imposed in writing to
134 the registrar of the county in which the voter resides, who shall
135 thereupon remove the name of the person from the Statewide
136 Elections Management System and retain the certificate as a record
137 of his or her office.



138 (2) (a) No person shall be denied the right to register to
139 vote based on his or her conviction of a disenfranchising crime:
140 (i) after the completion of the term of incarceration imposed by
141 the court, including any period of time to be served on parole for
142 such crime; or (ii) after imposition of sentence if sentenced
143 solely to a term of probation for such crime;

144 (b) No person shall have his or her name removed from
145 the Statewide Elections Management System by the registrar or the
146 election commissioners upon or after the person's conviction of a
147 disenfranchising crime if the sentence imposed by the court is
148 solely a term of probation for such crime; and

149 (c) A person can be required to furnish proof that he
150 or she has been restored the right of suffrage as provided in
151 Section 23-15-2 in order to register to vote by offering for
152 inspection his or her Certificate of Restoration.

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

155 23-15-151. The circuit clerk of each county is authorized
156 and directed to prepare and keep in his or her office a full and
157 complete list, in alphabetical order, of persons convicted of
158 voter fraud or of any crime listed in Section 241, Mississippi
159 Constitution of 1890, and not restored the right of suffrage as
160 provided in Section 23-15-2. A certified copy of any enrollment
161 by one clerk to another will be sufficient authority for the
162 enrollment of the name, or names, in another county. A list of



163 persons convicted of voter fraud, any crime listed in Section 241,
164 Mississippi Constitution of 1890, or any crime interpreted as
165 disenfranchising in later Attorney General opinions and not
166 restored the right of suffrage as provided in Section 23-15-2,
167 shall also be entered into the Statewide Elections Management
168 System on a quarterly basis. Except as provided in Section
169 23-15-2 and Section 23-15-19, voters who have been convicted in a
170 Mississippi state court of any disenfranchising crime are not
171 qualified electors as defined by Section 23-15-11 and shall be
172 purged or otherwise removed by the county registrar or county
173 election commissioners from the Statewide Elections Management
174 System.

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

177 23-15-125. The pollbook of each voting precinct shall
178 designate the voting precinct for which it is to be used, and
179 shall be ruled in appropriate columns, with printed or written
180 headings, as follows: date of registration; voter registration
181 number; name of electors; date of birth; and a number of blank
182 columns for the dates of elections. All qualified applicants who
183 register with the registrar shall be entered in the Statewide
184 Elections Management System. Only the names of those qualified
185 applicants who register within thirty (30) days before an election
186 shall appear on the pollbooks of the election; however, if the
187 thirtieth day to register before an election falls on a Sunday or



188 legal holiday, the registration applications submitted on the
189 business day immediately following the legal holiday shall be
190 accepted and entered in the Statewide Elections Management System
191 for the purpose of enabling voters to vote in the next election.
192 When county election commissioners determine that any elector is
193 disqualified from voting, by reason of death, conviction of a
194 disenfranchising crime if the right of suffrage has not been
195 restored as provided in Section 23-15-2, removal from the
196 jurisdiction, or other legal cause, that fact shall be noted in
197 the Statewide Elections Management System and the voter's name
198 shall be removed from the Statewide Elections Management System,
199 the state's voter roll and the county's pollbooks. Nothing in
200 this section shall preclude the use of electronic pollbooks.

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

203 23-15-153. (1) At least during the following times, the
204 election commissioners shall meet at the office of the registrar
205 or the office of the election commissioners to carefully revise
206 the county voter roll as electronically maintained by the
207 Statewide Elections Management System and remove from the roll the
208 names of all voters who have requested to be purged from the voter
209 roll, died, received an adjudication of non compos mentis, been
210 convicted of a disenfranchising crime if the right of suffrage has
211 not been restored as provided in Section 23-15-2, or otherwise
212 become disqualified as electors for any cause, and shall register



213 the names of all persons who have duly applied to be registered
214 but have been illegally denied registration:

215 (a) On the Tuesday after the second Monday in January
216 1987 and every following year;

217 (b) On the first Tuesday in the month immediately
218 preceding the first primary election for members of Congress in
219 the years when members of Congress are elected;

220 (c) On the first Monday in the month immediately
221 preceding the first primary election for state, state district
222 legislative, county and county district offices in the years in
223 which those offices are elected; and

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

227 Except for the names of those voters who are duly qualified
228 to vote in the election, no name shall be permitted to remain in
229 the Statewide Elections Management System; however, no name shall
230 be purged from the Statewide Elections Management System based on
231 a change in the residence of an elector except in accordance with
232 procedures provided for by the National Voter Registration Act of
233 1993. Except as otherwise provided by Section 23-15-573, no
234 person shall vote at any election whose name is not in the county
235 voter roll electronically maintained by the Statewide Elections
236 Management System.



237 (2) Except as provided in this section, and subject to the
238 following annual limitations, the election commissioners shall be
239 entitled to receive a per diem in the amount of One Hundred
240 Dollars (\$100.00), to be paid from the county general fund, for
241 every day or period of no less than five (5) hours accumulated
242 over two (2) or more days actually employed in the performance of
243 their duties in the conduct of an election or actually employed in
244 the performance of their duties for the necessary time spent in
245 the revision of the county voter roll as electronically maintained
246 by the Statewide Elections Management System as required in
247 subsection (1) of this section:

248 (a) In counties having less than fifteen thousand
249 (15,000) residents according to the latest federal decennial
250 census, not more than fifty (50) days per year, with no more than
251 fifteen (15) additional days allowed for the conduct of each
252 election in excess of one (1) occurring in any calendar year;

253 (b) In counties having fifteen thousand (15,000)
254 residents according to the latest federal decennial census but
255 less than thirty thousand (30,000) residents according to the
256 latest federal decennial census, not more than seventy-five (75)
257 days per year, with no more than twenty-five (25) additional days
258 allowed for the conduct of each election in excess of one (1)
259 occurring in any calendar year;

260 (c) In counties having thirty thousand (30,000)
261 residents according to the latest federal decennial census but



262 less than seventy thousand (70,000) residents according to the
263 latest federal decennial census, not more than one hundred (100)
264 days per year, with no more than thirty-five (35) additional days
265 allowed for the conduct of each election in excess of one (1)
266 occurring in any calendar year;

267 (d) In counties having seventy thousand (70,000)
268 residents according to the latest federal decennial census but
269 less than ninety thousand (90,000) residents according to the
270 latest federal decennial census, not more than one hundred
271 twenty-five (125) days per year, with no more than forty-five (45)
272 additional days allowed for the conduct of each election in excess
273 of one (1) occurring in any calendar year;

274 (e) In counties having ninety thousand (90,000)
275 residents according to the latest federal decennial census but
276 less than one hundred seventy thousand (170,000) residents
277 according to the latest federal decennial census, not more than
278 one hundred fifty (150) days per year, with no more than
279 fifty-five (55) additional days allowed for the conduct of each
280 election in excess of one (1) occurring in any calendar year;

281 (f) In counties having one hundred seventy thousand
282 (170,000) residents according to the latest federal decennial
283 census but less than two hundred thousand (200,000) residents
284 according to the latest federal decennial census, not more than
285 one hundred seventy-five (175) days per year, with no more than



286 sixty-five (65) additional days allowed for the conduct of each
287 election in excess of one (1) occurring in any calendar year;

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

295 (h) In counties having two hundred twenty-five thousand
296 (225,000) residents according to the latest federal decennial
297 census but less than two hundred fifty thousand (250,000)
298 residents according to the latest federal decennial census, not
299 more than two hundred fifteen (215) days per year, with no more
300 than eighty-five (85) additional days allowed for the conduct of
301 each election in excess of one (1) occurring in any calendar year;

302 (i) In counties having two hundred fifty thousand
303 (250,000) residents according to the latest federal decennial
304 census but less than two hundred seventy-five thousand (275,000)
305 residents according to the latest federal decennial census, not
306 more than two hundred thirty (230) days per year, with no more
307 than ninety-five (95) additional days allowed for the conduct of
308 each election in excess of one (1) occurring in any calendar year;

309 (j) In counties having two hundred seventy-five
310 thousand (275,000) residents according to the latest federal



311 decennial census or more, not more than two hundred forty (240)
312 days per year, with no more than one hundred five (105) additional
313 days allowed for the conduct of each election in excess of one (1)
314 occurring in any calendar year.

315 (3) In addition to the number of days authorized in
316 subsection (2) of this section, the board of supervisors of a
317 county may authorize, in its discretion, the election
318 commissioners to receive a per diem in the amount provided for in
319 subsection (2) of this section, to be paid from the county general
320 fund, for every day or period of no less than five (5) hours
321 accumulated over two (2) or more days actually employed in the
322 performance of their duties in the conduct of an election or
323 actually employed in the performance of their duties for the
324 necessary time spent in the revision of the county voter roll as
325 electronically maintained by the Statewide Elections Management
326 System as required in subsection (1) of this section, not to
327 exceed five (5) days.

328 (4) (a) The election commissioners shall be entitled to
329 receive a per diem in the amount of One Hundred Dollars (\$100.00),
330 to be paid from the county general fund, not to exceed ten (10)
331 days for every day or period of no less than five (5) hours
332 accumulated over two (2) or more days actually employed in the
333 performance of their duties for the necessary time spent in the
334 revision of the county voter roll as electronically maintained by
335 the Statewide Elections Management System before any special



336 election. For purposes of this paragraph, the regular special
337 election day shall not be considered a special election. The
338 annual limitations set forth in subsection (2) of this section
339 shall not apply to this paragraph.

340 (b) The election commissioners shall be entitled to
341 receive a per diem in the amount of One Hundred Fifty Dollars
342 (\$150.00), to be paid from the county general fund, for the
343 performance of their duties on the day of any primary, runoff,
344 general or special election. The annual limitations set forth in
345 subsection (2) of this section shall apply to this paragraph.

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

354 (5) The election commissioners shall be entitled to receive
355 a per diem in the amount of One Hundred Dollars (\$100.00), to be
356 paid from the county general fund, not to exceed fourteen (14)
357 days for every day or period of no less than five (5) hours
358 accumulated over two (2) or more days actually employed in the
359 performance of their duties for the necessary time spent in the
360 revision of the county voter roll as electronically maintained by



361 the Statewide Elections Management System and in the conduct of a
362 runoff election following either a general or special election.

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

367 (7) In preparation for a municipal primary, runoff, general
368 or special election, the county registrar shall generate and
369 distribute the master voter roll and pollbooks from the Statewide
370 Elections Management System for the municipality located within
371 the county. The municipality shall pay the county registrar for
372 the actual cost of preparing and printing the municipal master
373 voter roll pollbooks. A municipality may secure "read only"
374 access to the Statewide Elections Management System and print its
375 own pollbooks using this information.

376 (8) County election commissioners who perform the duties of
377 an executive committee with regard to the conduct of a primary
378 election under a written agreement authorized by law to be entered
379 into with an executive committee shall receive per diem as
380 provided for in subsection (2) of this section. The days that
381 county election commissioners are employed in the conduct of a
382 primary election shall be treated the same as days county election
383 commissioners are employed in the conduct of other elections.

384 (9) In addition to any per diem authorized by this section,
385 any election commissioner shall be entitled to the mileage



386 reimbursement rate allowable to federal employees for the use of a
387 privately owned vehicle while on official travel on election day.

388 (10) Every election commissioner shall sign personally a
389 certification setting forth the number of hours actually worked in
390 the performance of the commissioner's official duties and for
391 which the commissioner seeks compensation. The certification must
392 be on a form as prescribed in this subsection. The commissioner's
393 signature is, as a matter of law, made under the commissioner's
394 oath of office and under penalties of perjury.

395 The certification form shall be as follows:

396 **COUNTY ELECTION COMMISSIONER**

397 **PER DIEM CLAIM FORM**

398 NAME: _____ COUNTY: _____

399 ADDRESS: _____ DISTRICT: _____

400 CITY: _____ ZIP: _____

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

404 _____
405 _____
406 _____

407 TOTAL NUMBER OF PER DIEM DAYS EARNED

408 EXCLUDING ELECTION DAYS _____

409 PER DIEM RATE PER DAY EARNED X \$100.00

410 TOTAL NUMBER PER DIEM DAYS EARNED



411 FOR ELECTION DAYS _____
412 PER DIEM RATE PER DAY EARNED X \$150.00
413 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

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

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

419 Signed this the _____ day of _____, ____.

420 _____

421 Commissioner's Signature

422 When properly completed and signed, the certification must be
423 filed with the clerk of the county board of supervisors before any
424 payment may be made. The certification will be a public record
425 available for inspection and reproduction immediately upon the
426 oral or written request of any person.

427 Any person may contest the accuracy of the certification in
428 any respect by notifying the chair of the commission, any member
429 of the board of supervisors or the clerk of the board of
430 supervisors of the contest at any time before or after payment is
431 made. If the contest is made before payment is made, no payment
432 shall be made as to the contested certificate until the contest is
433 finally disposed of. The person filing the contest shall be
434 entitled to a full hearing, and the clerk of the board of
435 supervisors shall issue subpoenas upon request of the contestor



436 compelling the attendance of witnesses and production of documents
437 and things. The contestor shall have the right to appeal de novo
438 to the circuit court of the involved county, which appeal must be
439 perfected within thirty (30) days from a final decision of the
440 commission, the clerk of the board of supervisors or the board of
441 supervisors, as the case may be.

442 Any contestor who successfully contests any certification
443 will be awarded all expenses incident to his or her contest,
444 together with reasonable attorney's fees, which will be awarded
445 upon petition to the chancery court of the involved county upon
446 final disposition of the contest before the election commission,
447 board of supervisors, clerk of the board of supervisors, or, in
448 case of an appeal, final disposition by the court. The
449 commissioner against whom the contest is decided shall be liable
450 for the payment of the expenses and attorney's fees, and the
451 county shall be jointly and severally liable for same.

452 (11) Any election commissioner who has not received a
453 certificate issued by the Secretary of State pursuant to Section
454 23-15-211 indicating that the election commissioner has received
455 the required elections seminar instruction and that the election
456 commissioner is fully qualified to conduct an election, shall not
457 receive any compensation authorized by this section or Section
458 23-15-239.

459 **SECTION 7.** Section 23-15-39, Mississippi Code of 1972, is
460 amended as follows:



461 23-15-39. (1) Applications for registration as electors of
462 this state, which are sworn to and subscribed before the registrar
463 or deputy registrar authorized by law and which are not made by
464 mail, shall be made upon a form established by rule duly adopted
465 by the Secretary of State. The application shall state that a
466 person who has been restored the right of suffrage as provided in
467 Section 23-15-2 is not disqualified to register to vote under
468 Section 23-15-11.

469 (2) The boards of supervisors shall make proper allowances
470 for office supplies reasonably necessitated by the registration of
471 county electors.

472 (3) If the applicant indicates on the application that he or
473 she resides within the city limits of a city or town in the county
474 of registration, the county registrar shall process the
475 application for registration or changes to the registration as
476 provided by law.

477 (4) If the applicant indicates on the application that he or
478 she has previously registered to vote in another county of this
479 state or another state, notice to the voter's previous county of
480 registration in this state shall be provided by the Statewide
481 Elections Management System. If the voter's previous place of
482 registration was in another state, notice shall be provided to the
483 voter's previous state of residence if the Statewide Elections
484 Management System has that capability.



485 (5) The county registrar shall provide to the person making
486 the application a copy of the application upon which has been
487 written the county voting precinct and municipal voting precinct,
488 if any, in which the person shall vote. Upon entry of the voter
489 registration information into the Statewide Elections Management
490 System, the system shall assign a voter registration number to the
491 person, and the county registrar shall mail the applicant a voter
492 registration card to the mailing address provided on the
493 application.

494 (6) Any person desiring an application for registration may
495 secure an application from the registrar of the county of which he
496 or she is a resident and may take the application with him or her
497 and secure assistance in completing the application from any
498 person of the applicant's choice. It shall be the duty of all
499 registrars to furnish applications for registration to all persons
500 requesting them, and it shall likewise be the registrar's duty to
501 furnish aid and assistance in the completing of the application
502 when requested by an applicant. The application for registration
503 shall be sworn to and subscribed before the registrar or deputy
504 registrar at the municipal clerk's office, the county registrar's
505 office or any other location where the applicant is allowed to
506 register to vote. The registrar shall not charge a fee or cost to
507 the applicant for accepting the application or administering the
508 oath or for any other duty imposed by law regarding the
509 registration of electors.



510 (7) If the person making the application is unable to read
511 or write, for reason of disability or otherwise, he or she shall
512 not be required to personally complete the application in writing
513 and execute the oath. In such cases, the registrar or deputy
514 registrar shall read the application and oath to the person and
515 the person's answers thereto shall be recorded by the registrar or
516 the registrar's deputy. The person shall be registered as an
517 elector if he or she otherwise meets the requirements to be
518 registered as an elector. The registrar shall record the
519 responses of the person and the recorded responses shall be
520 retained permanently by the registrar. The county registrar shall
521 enter the voter registration information into the Statewide
522 Elections Management System and designate the entry as an assisted
523 filing.

524 (8) The receipt of a copy of the application for
525 registration sent pursuant to Section 23-15-35(2) shall be
526 sufficient to allow the applicant to be registered as an elector
527 of this state, if the application is not challenged.

528 (9) In any case in which the corporate boundaries of a
529 municipality change, whether by annexation or redistricting, the
530 municipal clerk shall, within ten (10) days after approval of the
531 change in corporate boundaries, provide to the county registrar
532 conforming geographic data that is compatible with the Statewide
533 Elections Management System. The data shall be developed by the
534 municipality's use of a standardized format specified by the



535 Statewide Elections Management System. The county registrar,
536 county election commissioner or other county official, who has
537 completed an annual training seminar sponsored by the Secretary of
538 State pertaining to the implementation of new boundary lines in
539 the Statewide Elections Management System and received
540 certification for that training, shall update the municipal
541 boundary information into the Statewide Elections Management
542 System. The Statewide Elections Management System updates the
543 municipal voter registration records and assigns electors to their
544 municipal voting precincts. The county registrar shall forward to
545 the municipal clerk written notification of the additions and
546 changes, and the municipal clerk shall forward to the affected
547 municipal electors written notification of the additions and
548 changes.

549 **SECTION 8.** Section 23-15-47, Mississippi Code of 1972, is
550 amended as follows:

551 23-15-47. (1) Any person who is qualified to register to
552 vote in the State of Mississippi may register to vote by mail-in
553 application in the manner prescribed in this section.

554 (2) The following procedure shall be used in the
555 registration of electors by mail:

556 (a) Any qualified elector may register to vote by
557 mailing or delivering a completed mail-in application to his or
558 her county registrar at least thirty (30) days before any
559 election; however, if the thirtieth day to register before an



560 election falls on a Sunday or legal holiday, the registration
561 applications submitted on the business day immediately following
562 the Sunday or legal holiday shall be accepted and entered into the
563 Statewide Elections Management System for the purpose of enabling
564 voters to vote in the next election. The postmark date of a
565 mailed application shall be the applicant's date of registration.

566 (b) Upon receipt of a mail-in application, the county
567 registrar shall stamp the application with the date of receipt,
568 and shall verify the application either by matching the
569 applicant's Mississippi driver's license number through the
570 Mississippi Department of Public Safety or by matching the
571 applicant's social security number through the American
572 Association of Motor Vehicle Administrators. Within fourteen (14)
573 days of receipt of a mail-in registration application, the county
574 registrar shall complete action on the application, including any
575 attempts to notify the applicant of the status of his or her
576 application.

577 (c) If the county registrar determines that the
578 applicant is qualified and his or her application is legible and
579 complete, the county registrar shall mail the applicant written
580 notification that the application has been approved, specifying
581 the county voting precinct, municipal voting precinct, if any,
582 polling place and supervisor district in which the person shall
583 vote. This written notification of approval containing the
584 specified information shall be the voter's registration card. The



585 registration card shall be provided by the county registrar to the
586 applicant in accordance with Section 23-15-39. Upon entry of the
587 voter registration information into the Statewide Elections
588 Management System, the system shall assign a voter registration
589 number to the applicant. The assigned voter registration number
590 shall be clearly shown on the written notification of approval.
591 In mailing the written notification, the county registrar shall
592 note the following on the envelope: "DO NOT FORWARD". If any
593 registration notification form is returned as undeliverable, the
594 voter's registration shall be void.

595 (d) A mail-in application shall be rejected for any of
596 the following reasons:

597 (i) An incomplete portion of the application makes
598 it impossible for the registrar to determine the eligibility of
599 the applicant to register;

600 (ii) A portion of the application is illegible in
601 the opinion of the county registrar and makes it impossible to
602 determine the eligibility of the applicant to register;

603 (iii) The county registrar is unable to determine,
604 from the address and information stated on the application, the
605 precinct in which the voter should be assigned or the supervisor
606 district in which he or she is entitled to vote;

607 (iv) The applicant is not qualified to register to
608 vote pursuant to Section 23-15-11;



609 (v) The county registrar determines that the
610 applicant is already registered as a qualified elector of the
611 county;

612 (vi) The county registrar is unable to verify the
613 application pursuant to * * * paragraph (b) of this subsection.

614 (e) If the mail-in application of a person is subject
615 to rejection for any of the reasons set forth in paragraph (d) (i)
616 through (iii) of this subsection, and it appears to the county
617 registrar that the defect or omission is of such a minor nature
618 and that any necessary additional information may be supplied by
619 the applicant over the telephone or by further correspondence, the
620 county registrar may write or call the applicant at the telephone
621 number or address, or both, provided on the application. If the
622 county registrar is able to contact the applicant by mail or
623 telephone, the county registrar shall attempt to ascertain the
624 necessary information, and if this information is sufficient for
625 the registrar to complete the application, the applicant shall be
626 registered. If the necessary information cannot be obtained by
627 mail or telephone, or is not sufficient to complete the
628 application within fourteen (14) days of receipt, the county
629 registrar shall give the applicant written notice of the rejection
630 and provide the reason for the rejection. The county registrar
631 shall further inform the applicant that he or she has a right to
632 attempt to register by appearing in person or by filing another
633 mail-in application.



634 (f) If a mail-in application is subject to rejection
635 for the reason stated in paragraph (d)(v) of this subsection and
636 the "present home address" portion of the application is different
637 from the residence address for the applicant found in the
638 Statewide Elections Management System, the mail-in application
639 shall be deemed a written request to update the voter's
640 registration pursuant to Section 23-15-13. The county registrar
641 or the election commissioners shall update the voter's residence
642 address in the Statewide Elections Management System and, if
643 necessary, advise the voter of a change in the location of his or
644 her county or municipal polling place by mailing the voter a new
645 voter registration card.

646 (3) The instructions and the application form for voter
647 registration by mail shall be in a form established by rule duly
648 adopted by the Secretary of State. The instructions and the
649 application shall state that a person who has been restored the
650 right of suffrage as provided in Section 23-15-2 is not
651 disqualified to register to vote under Section 23-15-11.

652 (4) (a) The Secretary of State shall prepare and furnish
653 without charge the necessary forms for application for voter
654 registration by mail to each county registrar, municipal clerk,
655 all public schools, each private school that requests such
656 applications, and all public libraries.

657 (b) The Secretary of State shall distribute without
658 charge sufficient forms for application for voter registration by



659 mail to the Commissioner of Public Safety, who shall distribute
660 the forms to each driver's license examining and renewal station
661 in the state, and shall ensure that the forms are regularly
662 available to the public at such stations.

663 (c) Bulk quantities of forms for application for voter
664 registration by mail shall be furnished by the Secretary of State
665 to any person or organization. The Secretary of State shall
666 charge a person or organization the actual cost he or she incurs
667 in providing bulk quantities of forms for application for voter
668 registration to such person or organization.

669 (5) The originals of completed mail-in applications shall
670 remain on file in the office of the county registrar with copies
671 retained in the Statewide Elections Management System.

672 (6) If the applicant indicates on the application that he or
673 she resides within the city limits of a city or town in the county
674 of registration, the county registrar shall enter the information
675 into the Statewide Elections Management System.

676 (7) If the applicant indicates on the application that he or
677 she has previously registered to vote in another county of this
678 state or another state, notice to the voter's previous county of
679 registration in this state shall be provided through the Statewide
680 Elections Management System. If the voter's previous place of
681 registration was in another state, notice shall be provided to the
682 voter's previous state of residence.



683 (8) Any person who attempts to register to vote by mail
684 shall be subject to the penalties for false registration provided
685 for in Section 23-15-17.

686 **SECTION 9.** Section 23-15-213, Mississippi Code of 1972, is
687 amended as follows:

688 **[Until December 31, 2022, this section shall read as**
689 **follows:]**

690 23-15-213. (1) At the general election in 2020, there shall
691 be elected five (5) election commissioners for each county whose
692 terms of office shall commence on the first Monday of January
693 following their election. Each of the commissioners shall be
694 required to attend a training seminar provided by the Secretary of
695 State and satisfactorily complete a skills assessment * * *. The
696 Secretary of State shall ensure that the training seminar includes
697 instructions to commissioners on the proper performance of their
698 duties with regard to persons who are restored the right of
699 suffrage as provided in Section 23-15-2. Before acting, each of
700 the commissioners shall take and subscribe the oath of office
701 prescribed by the Constitution. The oath shall be filed in the
702 office of the clerk of the chancery court. Upon filing the oath
703 of office, the election commissioner may be provided access to the
704 Statewide Elections Management System for the purpose of
705 performing his or her duties. While engaged in their duties, the
706 commissioners shall be conservators of the peace in the county,
707 with all the duties and powers of such.



708 (2) The qualified electors of each supervisors district
709 shall elect, at the general election in 2020, in their district
710 one (1) election commissioner. The election commissioners from
711 board of supervisors' Districts One, Three and Five shall serve
712 for a term of four (4) years. The election commissioners from
713 board of supervisors' Districts Two and Four shall serve for a
714 term of three (3) years. No more than one (1) commissioner shall
715 be a resident of and reside in each supervisors district of the
716 county; it being the purpose of this section that the county board
717 of election commissioners shall consist of one (1) person from
718 each supervisors district of the county and that each commissioner
719 be elected from the supervisors district in which he or she
720 resides.

721 (3) Candidates for county election commissioner shall
722 qualify by filing with the clerk of the board of supervisors of
723 their respective counties a petition personally signed by not less
724 than fifty (50) qualified electors of the supervisors district in
725 which they reside, requesting that they be a candidate, by 5:00
726 p.m. not later than the first Monday in June of the year in which
727 the election occurs and unless the petition is filed within the
728 required time, their names shall not be placed upon the ballot.
729 All candidates shall declare in writing their party affiliation,
730 if any, to the board of supervisors, and such party affiliation
731 shall be shown on the official ballot.



732 (4) The petition shall have attached thereto a certificate
733 of the county registrar showing the number of qualified electors
734 on each petition, which shall be furnished by the registrar on
735 request. The board shall determine the sufficiency of the
736 petition, and if the petition contains the required number of
737 signatures and is filed within the time required, the president of
738 the board shall verify that the candidate is a resident of the
739 supervisors district in which he or she seeks election and that
740 the candidate is otherwise qualified as provided by law, and shall
741 certify that the candidate is qualified to the chair or secretary
742 of the county election commission and the names of the candidates
743 shall be placed upon the ballot for the ensuing election. No
744 county election commissioner shall serve or be considered as
745 elected until he or she has received a majority of the votes cast
746 for the position or post for which he or she is a candidate. If a
747 majority vote is not received in the first election, then the two
748 (2) candidates receiving the most votes for each position or post
749 shall be placed upon the ballot for a second election to be held
750 three (3) weeks later in accordance with appropriate procedures
751 followed in other elections involving runoff candidates.

752 (5) Upon taking office, the county election commissioners
753 shall organize by electing a chair and a secretary.

754 (6) It shall be the duty of the chair to have the official
755 ballot printed and distributed at each general or special
756 election.



757 **[From and after January 1, 2023, this section shall read as**
758 **follows:]**

759 23-15-213. (1) There shall be elected five (5) election
760 commissioners for each county whose terms of office shall commence
761 on the first Monday of January following their election and who
762 shall serve for a term of four (4) years. Each of the
763 commissioners shall be required to attend a training seminar
764 provided by the Secretary of State and satisfactorily complete a
765 skills assessment * * *. The Secretary of State shall ensure that
766 the training seminar includes instructions to commissioners on the
767 proper performance of their duties with regard to persons who are
768 restored the right of suffrage as provided in Section 23-15-2.
769 Before acting, each of the commissioners shall take and subscribe
770 the oath of office prescribed by the Constitution. The oath shall
771 be filed in the office of the clerk of the chancery court. Upon
772 filing the oath of office, the election commissioner may be
773 provided access to the Statewide Elections Management System for
774 the purpose of performing his or her duties. While engaged in
775 their duties, the commissioners shall be conservators of the peace
776 in the county, with all the duties and powers of such.

777 (2) (a) At the general election in 2024 and every four (4)
778 years thereafter, the qualified electors of the board of
779 supervisors' Districts One, Three and Five shall elect in their
780 district one (1) election commissioner.



781 (b) At the general election in 2023 and every four (4)
782 years thereafter, the qualified electors of the board of
783 supervisors' Districts Two and Four shall elect in their district
784 one (1) election commissioner.

785 (c) No more than one (1) commissioner shall be a
786 resident of and reside in each supervisors district of the county;
787 it being the purpose of this section that the county board of
788 election commissioners shall consist of one (1) person from each
789 supervisors district of the county and that each commissioner be
790 elected from the supervisors district in which he or she resides.

791 (3) Candidates for county election commissioner shall
792 qualify by filing with the clerk of the board of supervisors of
793 their respective counties a petition personally signed by not less
794 than fifty (50) qualified electors of the supervisors district in
795 which they reside, requesting that they be a candidate, by 5:00
796 p.m. not later than February 1 of the year in which the election
797 occurs and unless the petition is filed within the required time,
798 their names shall not be placed upon the ballot. All candidates
799 shall declare in writing their party affiliation, if any, to the
800 board of supervisors, and such party affiliation shall be shown on
801 the official ballot.

802 (4) The petition shall have attached thereto a certificate
803 of the county registrar showing the number of qualified electors
804 on each petition, which shall be furnished by the registrar on
805 request. The board shall determine the sufficiency of the



806 petition, and if the petition contains the required number of
807 signatures and is filed within the time required, the president of
808 the board shall verify that the candidate is a resident of the
809 supervisors district in which he or she seeks election and that
810 the candidate is otherwise qualified as provided by law, and shall
811 certify that the candidate is qualified to the chair or secretary
812 of the county election commission and the names of the candidates
813 shall be placed upon the ballot for the ensuing election. No
814 county election commissioner shall serve or be considered as
815 elected until he or she has received a majority of the votes cast
816 for the position or post for which he or she is a candidate. If a
817 majority vote is not received in the first election, then the two
818 (2) candidates receiving the most votes for each position or post
819 shall be placed upon the ballot for a second election to be held
820 three (3) weeks later in accordance with appropriate procedures
821 followed in other elections involving runoff candidates.

822 (5) In the first meeting in January of each year, the county
823 election commissioners shall organize by electing a chair and a
824 secretary, who shall serve a one * * * -year term. The county
825 election commissioners shall provide the names of the chair and
826 secretary to the Secretary of State and provide notice of any
827 change in officers which may occur during the year.

828 (6) It shall be the duty of the chair to have the official
829 ballot printed and distributed at each general or special
830 election.



831 **SECTION 10.** Section 23-15-223, Mississippi Code of 1972, is
832 amended as follows:

833 23-15-223. (1) The State Board of Election Commissioners,
834 on or before the fifteenth day of February succeeding each general
835 election, shall appoint in the several counties registrars of
836 elections, who shall hold office for four (4) years and until
837 their successors shall be duly qualified. The county registrar
838 shall be the clerk of the circuit court, unless the State Board of
839 Election Commissioners finds the circuit clerk to be an improper
840 person to register the names of the electors in the county. The
841 State Board of Election Commissioners shall draft rules and
842 regulations to provide for notice and hearing before removal of
843 the circuit clerk, if notice and a hearing is practicable under
844 the circumstances.

845 (2) The county registrar is empowered to appoint deputy
846 registrars, with the consent of the board of election
847 commissioners, who may discharge the duties of the registrar.

848 The clerk of every municipality shall be appointed as such a
849 deputy registrar, as contemplated by the National Voter
850 Registration Act (NVRA).

851 (3) The county registrar shall not be held liable for any
852 malfeasance or nonfeasance in office by any deputy registrar who
853 is a deputy registrar by virtue of his or her office.

854 (4) (a) The Secretary of State, in conjunction with the
855 State Board of Community and Junior Colleges, * * * shall develop



856 and make available online a computer skills training course for
857 all newly appointed registrars that shall be completed within one
858 hundred eighty (180) days of the commencement of their term of
859 office.

860 (b) On or before August 1, 2021, the Secretary of State
861 shall develop and make available online a training course for all
862 registrars that shall be completed by them on an annual basis.
863 The training seminar shall include instructions to registrars on
864 the proper performance of their duties with regard to persons who
865 are restored the right of suffrage as provided in Section 23-15-2.

866 **SECTION 11.** Section 23-15-239, Mississippi Code of 1972, is
867 amended as follows:

868 23-15-239. (1) The executive committee of each county, in
869 the case of a primary election, or the election commissioners of
870 each county, in the case of all other elections, in conjunction
871 with the circuit clerk, shall, in the years in which counties
872 conduct an election, sponsor and conduct, not less than five (5)
873 days before each election, not less than four (4) hours and not
874 more than eight (8) hours of poll manager training to instruct
875 poll managers as to their duties in the proper administration of
876 the election * * *, the operation of the polling place, and the
877 poll managers' duties with regard to persons who are restored the
878 right of suffrage as provided in Section 23-15-2. Any poll
879 manager who completes the online training course provided by the
880 Secretary of State shall only be required to complete two (2)



881 hours of in-person poll manager training. No poll manager shall
882 serve in any election unless he or she has received these
883 instructions once during the twelve (12) months immediately
884 preceding the date upon which the election is held; however,
885 nothing in this section shall prevent the appointment of an
886 alternate poll manager to fill a vacancy in case of an emergency.
887 The county executive committee or the election commissioners, as
888 appropriate, shall train a sufficient number of alternates to
889 serve in the event a poll manager is unable to serve for any
890 reason.

891 (2) (a) If it is eligible under Section 23-15-266, the
892 county executive committee may enter into a written agreement with
893 the circuit clerk or the county election commission authorizing
894 the circuit clerk or the county election commission to perform any
895 of the duties required of the county executive committee pursuant
896 to this section. Any agreement entered into pursuant to this
897 subsection shall be signed by the chair of the county executive
898 committee and the circuit clerk or the chair of the county
899 election commission, as appropriate. The county executive
900 committee shall notify the state executive committee and the
901 Secretary of State of the existence of the agreement.

902 (b) If it is eligible under Section 23-15-266, the
903 municipal executive committee may enter into a written agreement
904 with the municipal clerk or the municipal election commission
905 authorizing the municipal clerk or the municipal election



906 commission to perform any of the duties required of the municipal
907 executive committee pursuant to this section. Any agreement
908 entered into pursuant to this subsection shall be signed by the
909 chair of the municipal executive committee and the municipal clerk
910 or the chair of the municipal election commission, as appropriate.
911 The municipal executive committee shall notify the state executive
912 committee and the Secretary of State of the existence of the
913 agreement.

914 (3) The board of supervisors and the municipal governing
915 authority, in their discretion, may compensate poll managers who
916 attend these training sessions. The compensation shall be at a
917 rate of not less than the federal hourly minimum wage nor more
918 than Twelve Dollars (\$12.00) per hour. Poll managers shall not be
919 compensated for more than sixteen (16) hours of attendance at the
920 training sessions regardless of the actual amount of time that
921 they attended the training sessions.

922 (4) The time and location of the training sessions required
923 pursuant to this section shall be announced to the general public
924 by posting a notice thereof at the courthouse and by delivering a
925 copy of the notice to the office of a newspaper having general
926 circulation in the county five (5) days before the date upon which
927 the training session is to be conducted. Persons who will serve
928 as poll watchers for candidates and political parties, as well as
929 members of the general public, shall be allowed to attend the
930 sessions.



931 (5) Subject to the following annual limitations, the
932 election commissioners shall be entitled to receive a per diem in
933 the amount of One Hundred Dollars (\$100.00), to be paid from the
934 county general fund, for every day or period of no less than five
935 (5) hours accumulated over two (2) or more days actually employed
936 in the performance of their duties for the necessary time spent in
937 conducting training sessions as required by this section:

938 (a) In counties having less than fifteen thousand
939 (15,000) residents according to the latest federal decennial
940 census, not more than five (5) days per year;

941 (b) In counties having fifteen thousand (15,000)
942 residents according to the latest federal decennial census but
943 less than thirty thousand (30,000) residents according to the
944 latest federal decennial census, not more than eight (8) days per
945 year;

946 (c) In counties having thirty thousand (30,000)
947 residents according to the latest federal decennial census but
948 less than seventy thousand (70,000) residents according to the
949 latest federal decennial census, not more than ten (10) days per
950 year;

951 (d) In counties having seventy thousand (70,000)
952 residents according to the latest federal decennial census but
953 less than ninety thousand (90,000) residents according to the
954 latest federal decennial census, not more than twelve (12) days
955 per year;



956 (e) In counties having ninety thousand (90,000)
957 residents according to the latest federal decennial census but
958 less than one hundred seventy thousand (170,000) residents
959 according to the latest federal decennial census, not more than
960 fifteen (15) days per year;

961 (f) In counties having one hundred seventy thousand
962 (170,000) residents according to the latest federal decennial
963 census but less than two hundred thousand (200,000) residents
964 according to the latest federal decennial census, not more than
965 eighteen (18) days per year;

966 (g) In counties having two hundred thousand (200,000)
967 residents according to the latest federal decennial census but
968 less than two hundred twenty-five thousand (225,000) residents
969 according to the latest federal decennial census, not more than
970 nineteen (19) days per year;

971 (h) In counties having two hundred twenty-five thousand
972 (225,000) residents or more according to the latest federal
973 decennial census, not more than twenty-two (22) days per year.

974 (6) Election commissioners shall claim the per diem
975 authorized in subsection (5) of this section in the manner
976 provided for in Section 23-15-153(6).

977 (7) (a) To provide poll manager training, the Secretary of
978 State * * * shall develop a single, comprehensive poll manager
979 training program to ensure uniform, secure elections throughout
980 the state. The program * * * shall include online training on all



981 state and federal election laws and procedures * * *, voting
982 machine opening and closing procedures, and the poll managers'
983 duties with regard to persons who are restored the right of
984 suffrage as provided in Section 23-15-2.

985 (b) County poll managers who individually access and
986 complete the online training program, including all skills
987 assessments, at least five (5) days before an election shall be
988 defined as "certified poll managers," and entitled to a
989 "Certificate of Completion."

990 (c) At least one (1) certified poll manager shall be
991 appointed by the county election officials to work in each polling
992 place in the county during each general election.

993 **SECTION 12.** Section 23-15-165, Mississippi Code of 1972, is
994 amended as follows:

995 23-15-165. (1) The Office of the Secretary of State, in
996 cooperation with the county registrars and election commissioners,
997 shall procure, implement and maintain an electronic information
998 processing system and programs capable of maintaining a
999 centralized database of all registered voters in the state. The
1000 system shall encompass software and hardware, at both the state
1001 and county level, software development training, conversion and
1002 support and maintenance for the system. This system shall be
1003 known as the "Statewide Elections Management System" and shall
1004 constitute the official record of registered voters in every
1005 county of the state.



1006 (2) The Office of the Secretary of State shall develop and
1007 implement the Statewide Elections Management System so that the
1008 registrar and election commissioners of each county shall:

1009 (a) Verify that an applicant that is registering to
1010 vote in that county is not registered to vote in another county;

1011 (b) Be notified automatically that a registered voter
1012 in its county has registered to vote in another county;

1013 (c) Receive regular reports of death * * * and changes
1014 of address * * * that apply to voters registered in the
1015 county; * * *

1016 (d) Receive regular reports on the names of persons
1017 convicted of disenfranchising crimes in the county. The reports
1018 shall:

1019 (i) Be derived from accurate and updated sources,
1020 including, but not limited to, the online databases maintained by
1021 the Mississippi Department of Corrections and the Mississippi
1022 Parole Board; and

1023 (ii) Indicate whether the sentencing court imposed
1024 a term of incarceration or probation upon conviction of such
1025 crime; and

1026 (* * * e) Retain all present functionality related to,
1027 but not limited to, the use of voter roll data and to implement
1028 such other functionality as the law requires to enhance the
1029 maintenance of accurate county voter records and related jury
1030 selection and redistricting programs.



1031 (3) As a part of the procurement and implementation of the
1032 system, the Office of the Secretary of State shall, with the
1033 assistance of the advisory committee, procure services necessary
1034 to convert current voter registration records in the counties into
1035 a standard, industry accepted file format that can be used on the
1036 Statewide Elections Management System. Thereafter, all official
1037 voter information shall be maintained on the Statewide Elections
1038 Management System. The standard industry accepted format of data
1039 was reviewed and approved by a majority of the advisory committee
1040 created in subsection (5) of this section after consultation with
1041 the Circuit Clerks Association and the format may not be changed
1042 without consulting the Circuit Clerks Association.

1043 (4) The Secretary of State may, with the assistance of the
1044 advisory committee, adopt rules and regulations necessary to
1045 administer the Statewide Elections Management System. The rules
1046 and regulations shall at least:

1047 (a) Provide for the establishment and maintenance of a
1048 centralized database for all voter registration information in the
1049 state;

1050 (b) Provide procedures for integrating data into the
1051 centralized database;

1052 (c) Provide security to ensure that only the registrar,
1053 or his or her designee or other appropriate official, as the law
1054 may require, can add information to, delete information from and
1055 modify information in the system;



1056 (d) Provide the registrar or his or her designee or
1057 other appropriate official, as the law may require, access to the
1058 system at all times, including the ability to download copies of
1059 the industry standard file, for all purposes related to their
1060 official duties, including, but not limited to, exclusive access
1061 for the purpose of printing all local pollbooks;

1062 (e) Provide security and protection of all information
1063 in the system and monitor the system to ensure that unauthorized
1064 access is not allowed;

1065 (f) Provide a procedure that will allow the registrar,
1066 or his or her designee or other appropriate official, as the law
1067 may require, to identify the precinct to which a voter should be
1068 assigned; and

1069 (g) Provide a procedure for phasing in or converting
1070 existing manual and computerized voter registration systems in
1071 counties to the Statewide Elections Management System.

1072 (5) The Secretary of State established an advisory committee
1073 to assist in developing system specifications, procurement,
1074 implementation and maintenance of the Statewide Elections
1075 Management System. The committee included two (2) representatives
1076 from the Circuit Clerks Association, appointed by the association;
1077 two (2) representatives from the Election Commissioners
1078 Association of Mississippi, appointed by the association; one (1)
1079 member of the Mississippi Association of Supervisors, or its
1080 staff, appointed by the association; the Director of the Stennis



1081 Institute of Government at Mississippi State University, or his or
1082 her designee; the Executive Director of the Department of
1083 Information Technology Services, or his or her designee; two (2)
1084 persons knowledgeable about elections and information technology
1085 appointed by the Secretary of State; and the Secretary of State,
1086 who shall serve as the chair of the advisory committee.

1087 (6) (a) Social security numbers, telephone numbers and date
1088 of birth and age information in statewide, district, county and
1089 municipal voter registration files shall be exempt from and shall
1090 not be subject to inspection, examination, copying or reproduction
1091 under the Mississippi Public Records Act of 1983.

1092 (b) Copies of statewide, district, county or municipal
1093 voter registration files, excluding social security numbers,
1094 telephone numbers and date of birth and age information, shall be
1095 provided to any person in accordance with the Mississippi Public
1096 Records Act of 1983 at a cost not to exceed the actual cost of
1097 production.

1098 **SECTION 13.** Section 23-15-573, Mississippi Code of 1972, is
1099 brought forward as follows:

1100 23-15-573. (1) If any person declares that he or she is a
1101 registered voter in the jurisdiction in which he or she offers to
1102 vote and that he or she is eligible to vote in the election, but
1103 his or her name does not appear upon the pollbooks, or that he or
1104 she is not able to cast a regular election day ballot under a
1105 provision of state or federal law but is otherwise qualified to



1106 vote, or that he or she has been illegally denied registration, or
1107 that he or she is unable to present an acceptable form of photo
1108 identification:

1109 (a) A poll manager shall notify the person that he or
1110 she may cast an affidavit ballot at the election.

1111 (b) The person shall be permitted to cast an affidavit
1112 ballot at the polling place upon execution of a written affidavit
1113 before one (1) of the poll managers stating that the individual:

1114 (i) Believes he or she is a registered voter in
1115 the jurisdiction in which he or she desires to vote and is
1116 eligible to vote in the election; or

1117 (ii) Is not able to cast a regular election day
1118 ballot under a provision of state or federal law but is otherwise
1119 qualified to vote; or

1120 (iii) Believes that he or she has been illegally
1121 denied registration; or

1122 (iv) Is unable to present an acceptable form of
1123 photo identification.

1124 (c) The poll manager shall allow the individual to mark
1125 a paper ballot properly endorsed by the initialing poll manager or
1126 alternate initialing poll manager in accordance with Section
1127 23-15-541, which shall be delivered by him or her to the proper
1128 election official who shall enclose it in an affidavit ballot
1129 envelope, with the written and signed affidavit of the voter



1130 affixed to the envelope, seal the envelope and mark plainly upon
1131 it the name of the person offering to vote.

1132 (2) The affidavit ballot envelope shall include:

1133 (a) The complete name of the voter;

1134 (b) A present and previous physical and mailing address
1135 of the voter;

1136 (c) Telephone numbers where the voter may be contacted;

1137 (d) A statement that the affiant believes he or she is
1138 registered to vote in the jurisdiction in which he or she offers
1139 to vote;

1140 (e) The signature of the affiant; and

1141 (f) The signature of the poll manager at the polling
1142 place at which the affiant offers to vote.

1143 (3) (a) A separate receipt book shall be maintained for
1144 affidavit voters and the affidavit voters shall sign the receipt
1145 book upon completing the affidavit ballot.

1146 (b) If the affidavit voter is casting an affidavit
1147 ballot because the voter is unable to present an acceptable form
1148 of photo identification and the voter's name appears in the
1149 pollbook, then the poll manager shall write "NO ID" across from
1150 the voter's name and in the appropriate column in the pollbook.

1151 (c) In canvassing the returns of the election, the
1152 executive committee in primary elections, or the election
1153 commissioners in other elections, shall examine the records and



1154 allow the ballot to be counted, or not counted as it appears
1155 legal.

1156 (d) An affidavit ballot of a voter who was unable to
1157 present an acceptable form of photo identification shall not be
1158 rejected for this reason if the voter does either of the
1159 following:

1160 (i) Returns to the circuit clerk's office, or to
1161 the municipal clerk's office for municipal elections, within five
1162 (5) business days after the date of the election and presents an
1163 acceptable form of photo identification;

1164 (ii) Returns to the circuit clerk's office within
1165 five (5) business days after the date of the election to obtain
1166 the Mississippi Voter Identification Card, or in municipal
1167 election, returns to the municipal clerk's office within five (5)
1168 business days after the date of the election to present his or her
1169 Mississippi Voter Identification Card or Temporary Mississippi
1170 Voter Identification Card; or

1171 (iii) Returns to the circuit clerk's office, or to
1172 the municipal clerk's office for municipal elections, within five
1173 (5) business days after the date of the election to execute a
1174 separate Affidavit of Religious Objection.

1175 (4) When a person is offered the opportunity to vote by
1176 affidavit ballot, he or she shall be provided with written
1177 information that informs the person how to ascertain whether his



1178 or her affidavit ballot was counted and, if the vote was not
1179 counted, the reasons the vote was not counted.

1180 (5) The officials in charge of the election shall process
1181 all affidavit ballots by using the Statewide Elections Management
1182 System. The officials in charge of the election shall account for
1183 all affidavit ballots cast in each election, categorizing the
1184 affidavit ballots cast by reason and recording the total number of
1185 affidavit ballots counted and not counted in each such category in
1186 the Statewide Elections Management System.

1187 (6) The Secretary of State shall, by rule duly adopted,
1188 establish a uniform affidavit ballot envelope that shall be used
1189 in all elections in this state. The Secretary of State shall
1190 print and distribute a sufficient number of affidavit ballot
1191 envelopes to the registrar of each county for use in elections.
1192 The registrar shall distribute the affidavit ballot envelopes to
1193 municipal and county executive committees for use in primary
1194 elections and to municipal and county election commissioners for
1195 use in all other elections.

1196 (7) County registrars and municipal registrars shall
1197 maintain a secure free access system that complies with the Help
1198 America Vote Act of 2002, by which persons who vote by affidavit
1199 ballot may determine if their ballots were counted, and if not,
1200 the reasons the ballot was not counted.

1201 (8) Any person who votes in any election as a result of a
1202 federal or state court order or other order extending the time



1203 established by law for closing the polls on an election day, may
1204 only vote by affidavit ballot. Any affidavit ballot cast under
1205 this subsection shall be separated and kept apart from other
1206 affidavit ballots cast by voters not affected by the order.

1207 **SECTION 14.** Section 99-19-35, Mississippi Code of 1972, is
1208 amended as follows:

1209 99-19-35. A person convicted of bribery, burglary, theft,
1210 arson, obtaining money or goods under false pretenses, perjury,
1211 forgery, embezzlement, or bigamy, shall not be allowed to practice
1212 medicine or dentistry, or be appointed to hold or perform the
1213 duties of any office of profit, trust, or honor, unless after full
1214 pardon for the same; a person is also eligible to be appointed to
1215 hold or perform the duties of any office of profit, trust or
1216 honor, if the person's right of suffrage has been restored under
1217 Section 23-15-2.

1218 **SECTION 15.** This act shall take effect and be in force from
1219 and after July 1, 2022.

