

By: Senator(s) Blackwell

To: Elections;
Accountability, Efficiency,
Transparency

SENATE BILL NO. 2591

1 AN ACT TO ENACT THE "MISSISSIPPI ELECTION REFORM ACT OF
2 2022"; TO CODIFY A NEW SECTION TO ENSURE THAT ONLY CITIZEN'S OF
3 THE UNITED STATES BE PERMITTED TO VOTE IN MISSISSIPPI; TO AMEND
4 SECTION 23-15-49, MISSISSIPPI CODE OF 1972 TO PROVIDE THAT AN
5 ELIGIBLE, UNREGISTERED PERSON MAY REGISTER TO VOTE ONLINE; TO
6 CODIFY NEW SECTION 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE
7 THAT THE COUNTY REGISTRAR OR COUNTY ELECTION COMMISSION SHALL
8 REMOVE FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM THOSE
9 ELECTORS WHO FAIL TO RESPOND TO A CONFIRMATION NOTICE FOR A PERIOD
10 OF CONSECUTIVE YEARS; TO DEFINE TERMS; TO REQUIRE ELECTION
11 COMMISSIONERS TO SEND REGISTERED ELECTORS WHO DO NOT VOTE FOR A
12 CERTAIN PERIOD A CONFIRMATION NOTICE; TO PROVIDE THE TIME FOR
13 REMOVAL OF VOTER REGISTRATION RECORDS; TO PROVIDE FOR THE
14 RETENTION OF REMOVED VOTER REGISTRATION RECORDS; TO CODIFY NEW
15 SECTION 23-15-395, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE
16 SECRETARY OF STATE TO REGULATE THE REVIEW, CERTIFICATION,
17 DECERTIFICATION AND IMPLEMENTATION OF VOTING SYSTEMS; TO AMEND
18 SECTIONS 23-15-551 AND 23-15-691, MISSISSIPPI CODE OF 1972, TO
19 DELETE THE OPTION OF MARKING ELECTION BALLOTS WITH INDELIBLE
20 PENCIL; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO
21 REVISE THE APPLICATION FOR AN ABSENTEE ELECTOR'S BALLOT; TO AMEND
22 SECTION 23-15-1053, MISSISSIPPI CODE OF 1972, TO REQUIRE POLITICAL
23 PARTIES THAT SEEK REGISTRATION IN MISSISSIPPI TO SELECT INTERIM
24 OFFICERS TO FULFILL THE REGISTRATION REQUIREMENTS OF THE ARTICLE;
25 TO AMEND SECTIONS 23-15-13, 23-15-33, 23-15-35, 23-15-37,
26 23-15-39, 23-15-41, 23-15-79, 23-15-125 AND 23-15-153, MISSISSIPPI
27 CODE OF 1972, TO CONFORM; TO REPEAL SECTION 23-15-15, MISSISSIPPI
28 CODE OF 1972, WHICH IS THE PROVISION THAT REQUIRES DOCUMENTATION
29 OF NATURALIZED PERSONS; AND FOR RELATED PURPOSES.

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



31 **SECTION 1.** This act shall be known and may be cited as the
32 "Mississippi Election Reform Act of 2022."

33 **SECTION 2.** (1) The Secretary of State shall:

34 (a) Compare the Statewide Elections Management System
35 with the state's identification databases to ensure non-United
36 States citizens are not registered to vote in this state;

37 (b) Enter into a memorandum of understanding with the
38 Department of Public Safety to compare relevant federal, state and
39 county records for the purposes of this section.

40 (2) If evidence exists that a person registered as an
41 elector is not a citizen of the United States, the Statewide
42 Elections Management System shall notify the appropriate
43 registrar, or his or her designee, that the person registered as
44 an elector may not be a citizen of the United States.

45 (3) After receiving notice as described in subsection (2) of
46 this section, the registrar, or the registrar's designee, shall:

47 (a) Send a notice to the person registered as an
48 elector inquiring whether the individual is eligible to be
49 registered to vote;

50 (b) Purge the voter from the Statewide Elections
51 Management System if the person registered as an elector does not
52 comply with subsection (4) of this section and does not file an
53 appeal under subsection (5) of this section;



54 (c) Purge the voter from the Statewide Elections
55 Management System if the person's appeal under subsection (5) of
56 this section is finally denied.

57 (4) (a) Any person registered as an elector who receives
58 the notice under subsection (3) of this section shall provide
59 proof of citizenship to the registrar or the registrar's designee
60 within thirty (30) days of receipt of the notice.

61 (b) For purposes of this section, proof of citizenship
62 includes:

63 (i) The voter's birth certificate or a legible
64 photocopy of the birth certificate;

65 (ii) A United States passport, or a legible
66 photocopy of the pertinent pages of the passport, identifying the
67 voter and showing the passport number;

68 (iii) The voter's United States naturalization
69 documentation, a legible photocopy of the naturalization
70 documentation, or the number of the voter's certificate of
71 naturalization; except that any person who provides the number of
72 the certificate of naturalization in lieu of the naturalization
73 documentation shall not be deemed to have provided proof of
74 citizenship until the Secretary of State verifies the number with
75 the United States Citizenship and Immigration Services in the
76 Department of Homeland Security or its successor; or

77 (iv) Any document or method of proof of
78 citizenship established by the federal Immigration Reform and



79 Control Act of 1986, Public Law 99-603, compiled in 8 USC Section
80 1101 et seq.

81 (5) In the event a person registered as an elector is unable
82 to provide the documentation listed in subsection (4) of this
83 section to prove citizenship, the person may appeal to the board
84 of election commissioners of the county in which he or she
85 attempted to register and submit additional proof of citizenship
86 in person or in writing. The board of election commissioners
87 shall conduct a hearing and make a finding concerning the
88 individual's citizenship status and shall forward a copy of their
89 decision to the registrar, or his or her designee, of the county
90 where the person resides as established in Section 23-15-61. The
91 decision of the board of election commissioners under this
92 subsection may be appealed as any other decision of the board and
93 shall be final as otherwise provided for by law.

94 (6) Any documentation provided to show proof of citizenship
95 under this section as well as the Department of Public Safety
96 database or relevant federal and state agency and county records
97 shall be confidential and shall not be available for inspection by
98 the public.

99 (7) The Secretary of State shall adopt rules and regulations
100 for the administration of this section.

101 **SECTION 3.** Section 23-15-49, Mississippi Code of 1972, is
102 amended as follows:



103 23-15-49. (1) * * * The Secretary of State shall, with the
104 support of the Mississippi Department of Public Safety, establish
105 a secure internet website to permit eligible unregistered persons
106 to register to vote and to permit registered electors to change
107 their name, address or other information set forth in the
108 elector's existing voter registration record.

109 (2) (a) The online application form for registration to
110 vote shall be established by rule adopted by the Secretary of
111 State.

112 (b) A person entitled to be registered as an elector in
113 compliance with the laws of this state and who has a valid
114 driver's license authorized in Section 63-1-9 or photo
115 identification card authorized in Section 45-35-7 or Section
116 45-35-53 may submit an application for registration to vote
117 electronically under this subsection.

118 (c) An applicant to register under this subsection
119 shall:

120 (i) Attest to the truth of the information
121 provided; and

122 (ii) Consent to the use of the applicant's
123 signature from the applicant's driver's license or photo
124 identification card.

125 (3) (* * * a) * * * The software used by the Secretary of
126 State for processing applications or requests under this section
127 through the website shall provide for verification that:



128 (i) The * * * person has a current and valid
129 driver's license authorized in Section 63-1-9 or photo
130 identification card * * * authorized in Section 45-35-7 or Section
131 45-35-53 and the number for that driver's license or photo
132 identification card provided by the * * * person matches the
133 number for the * * * person's driver's license or photo
134 identification card that is on file with the * * * Department of
135 Public Safety; and

136 (ii) The name and date of birth provided by
137 the * * * person matches the name and date of birth that is on
138 file with the * * * Department of Public Safety * * *.

139 * * *

140 (b) If * * * the information in the person's
141 application or request under this section does not match * * * the
142 information on file with the * * * Department of Public Safety,
143 the * * * application or request shall be rejected.

144 (4) (a) An approved application for voter registration
145 pursuant to this section, including an image from the applicant's
146 driver's license or photo identification card, shall be
147 electronically forwarded to the registrar of the applicant's
148 county of residence.

149 (b) The registrar shall enter the applicant's
150 information into the Statewide Elections Management System. Upon
151 entry of the application, the Statewide Elections Management
152 System shall assign a voter registration number to the applicant.



153 (c) The registrar shall mail the applicant a written
154 notification that the applicant has been registered as an elector.
155 The written notification shall be the elector's registration card
156 as authorized in Section 23-15-39 and shall include the following
157 information:

158 (i) The elector's voter registration number;
159 (ii) The county voting precinct;
160 (iii) The municipal voting precinct, if any; and
161 (iv) The polling place and supervisor district in
162 which the elector shall vote.

163 (d) In mailing the written notification under this
164 section, the registrar shall note on the envelope: "DO NOT
165 FORWARD." If any written notification is returned to the
166 registrar as undeliverable, the application shall be void and the
167 registrar shall purge the newly registered elector's information
168 from the Statewide Elections Management System.

169 (5) (a) An approved request to change the name, address or
170 other information in an existing voter registration record under
171 this section shall be electronically forwarded to the registrar of
172 the elector's county of residence.

173 (b) The registrar or the election commissioners shall
174 update the elector's information in the Statewide Elections
175 Management System. If necessary, the registrar shall advise the
176 elector of a change in the location of his or her county or



177 municipal polling place by mailing the elector a new voter
178 registration card.

179 (* * *6) Any person who attempts to register to vote or to
180 change registration information under this section shall be
181 subject to the penalties for false registration provided for in
182 Section 97-13-25.

183 (* * *7) The Secretary of State and the Department of
184 Public Safety shall enter into a memorandum of understanding
185 providing for the sharing of information required to facilitate
186 the requirements of this section.

187 **SECTION 4.** The following shall be codified as Section
188 23-15-152, Mississippi Code of 1972:

189 23-15-152. (1) For the purposes of this section:

190 (a) "Confirmation notice" means a notice sent by the
191 election commissioners, by forwardable mail, with return postage
192 prepaid, on a form prescribed by the Secretary of State, to a
193 registered elector to confirm the registered elector's current
194 address. The notice shall comply with all applicable requirements
195 of the National Voter Registration Act of 1993.

196 (b) An elector "fails to respond to the confirmation
197 notice" if the elector, during a period of four (4) consecutive
198 years beginning from the date of the delivery of the confirmation
199 notice, fails to:

200 (i) Vote at the elector's registered precinct at
201 least once;



202 (ii) Respond to the confirmation notice; or
203 (iii) Update the elector's registration
204 information.

205 The period of four (4) consecutive years beginning from the
206 date of the delivery of the confirmation notice required in this
207 paragraph shall include two (2) general federal elections.

208 (2) The election commissioners shall send each registered
209 elector who has failed to vote at least once in the previous two
210 (2) years a confirmation notice.

211 (3) The county registrar or county election commission shall
212 remove from the Statewide Elections Management System those
213 electors who fail to respond to the confirmation notice required
214 by subsection (2) of this section.

215 (4) No voter registration records shall be removed during
216 the ninety (90) days immediately preceding a federal primary or
217 general election.

218 (5) The county registrar shall retain removed voter
219 registration records after they are removed for a period that
220 includes at least two (2) federal general elections and shall
221 record the reason for the removal.

222 **SECTION 5.** The following shall be codified as Section
223 23-15-395, Mississippi Code of 1972:

224 23-15-395. The Secretary of State, in consultation with the
225 State Board of Election Commissioners, shall promulgate



226 regulations for the review, certification, decertification and
227 implementation of all voting systems.

228 **SECTION 6.** Section 23-15-551, Mississippi Code of 1972, is
229 amended as follows:

230 23-15-551. On receiving his or her ballot, the voter shall
231 go without undue delay into one (1) of the voting compartments and
232 shall there prepare his or her ballot by marking with ink * * * on
233 the appropriate margin or place a cross (X) opposite the name of
234 the candidate of his or her choice for each office or by writing
235 in the name of a candidate in the blank space provided, and
236 marking a cross (X) opposite thereto, and likewise a cross (X)
237 opposite the answer he or she desires to give in case of an
238 election on a constitutional amendment, local option election,
239 referenda or any other question or matter. As an alternative
240 method, a voter may, at his or her option, prepare a ballot by
241 marking with ink * * * in the appropriate margin or place a check,
242 in the form of and similar to a "V", opposite the name of the
243 candidate of his or her choice for each office or by writing in
244 the name of a candidate in the blank space provided and marking a
245 check in the form of and similar to a "V", opposite thereto, and
246 likewise a check, in the form of and similar to a "V", opposite
247 the answer he or she desires to give in case of an election on a
248 constitutional amendment, local option election, referenda or
249 other question or matter, either of which methods of marking,
250 whether by a cross (X) or by a check in the form of and similar to



251 a "V", is authorized. Before leaving the voting compartment, the
252 voter shall fold his or her ballot without displaying its
253 markings, but so that the words "OFFICIAL BALLOT," followed by the
254 designation of the voting precinct and the date of the election,
255 shall be visible to the poll managers, then deposit his or her
256 ballot directly into the ballot box. This shall be done without
257 undue delay, and as soon as the voter has voted he or she shall
258 promptly exit the polling place. A voter shall not be allowed to
259 occupy a voting compartment already occupied by another voter, nor
260 any compartment longer than ten (10) minutes, if other voters are
261 not waiting, nor longer than five (5) minutes if other voters are
262 waiting. A person shall not be allowed in the room in which the
263 ballot boxes, compartments, tables and shelves are, except the
264 officers of the election, and those appointed by them to assist
265 therein, and those authorized by Section 23-15-577.

266 **SECTION 7.** Section 23-15-691, Mississippi Code of 1972, is
267 amended as follows:

268 23-15-691. As soon as possible after the printing of the
269 official absentee ballot for any election, the registrar of the
270 county shall send to any absent voter as defined in this
271 subarticle, who shall, upon proper application, have requested
272 same, the official absentee voter ballot or ballots provided for
273 in this subarticle and the instructions for voting and returning
274 the ballot. If the ballot is sent by mail the registrar shall



275 send a self-addressed envelope or envelopes with the ballot and
276 the instructions.

277 If the ballot is sent by mail, the gummed flap of the
278 envelope provided for the return of the ballot must be separated
279 by wax paper or other appropriate protective insert from the
280 remaining balloting material. The voting instructions shall
281 require a notation of the facts on the back of the envelope duly
282 signed by the voter.

283 If applicable, the instructions shall indicate that the
284 ballot shall be marked in ink * * *.

285 **SECTION 8.** Section 23-15-627, Mississippi Code of 1972, is
286 amended as follows:

287 23-15-627. Any elector described in Section 23-15-713 may
288 request an absentee ballot application and vote in person at the
289 office of the registrar in the county in which he or she resides.
290 The registrar shall be responsible for furnishing an absentee
291 ballot application form to any elector authorized to receive an
292 absentee ballot. Except as otherwise provided in Section
293 23-15-625, absentee ballot applications shall be furnished to a
294 person only upon the oral or written request of the elector who
295 seeks to vote by absentee ballot; however, the parent, child,
296 spouse, sibling, legal guardian, those empowered with a power of
297 attorney for that elector's affairs or agent of the elector, who
298 is designated in writing and witnessed by a resident of this state
299 who shall write his or her physical address on such designation,



300 may orally request an absentee ballot application on behalf of the
301 elector. The written designation shall be valid for one (1) year
302 after the date of the designation. An absentee ballot application
303 must have the seal of the circuit or municipal clerk affixed to it
304 and be initialed by the registrar or his or her deputy in order to
305 be used to obtain an absentee ballot. A reproduction of an
306 absentee ballot application shall not be valid unless it is a
307 reproduction provided by the office of the registrar of the
308 jurisdiction in which the election is being held and which
309 contains the seal and initials required by this section. Such
310 application shall be substantially in the following form:

311 "OFFICIAL APPLICATION FOR ABSENTEE ELECTOR'S BALLOT

312 I, _____, duly qualified and registered in the ____ Precinct
313 of the County of _____, * * * State of Mississippi, coming within
314 the purview of the definition 'ABSENTEE ELECTOR' will be absent
315 from the county of my residence on election day, or unable to vote
316 in person because (check appropriate reason):

317 () (PRESIDENTIAL APPLICANT ONLY:) I am currently a
318 resident of Mississippi or have moved therefrom within thirty (30)
319 days of the coming presidential election.

320 () I am an enlisted or commissioned member, male or female,
321 of any component of the United States Armed Forces and am a
322 citizen of Mississippi, or a spouse or dependent of such a member.



323 () I am a member of the Merchant Marine or the American Red
324 Cross and am a citizen of Mississippi or a spouse or dependent of
325 such a member.

326 () I am a disabled war veteran who is a patient in any
327 hospital and am a citizen of Mississippi or a spouse or dependent
328 of such a veteran.

329 () I am a civilian attached to and serving outside of the
330 United States with any branch of the United States Armed Forces or
331 with the Merchant Marine or American Red Cross, and am a citizen
332 of Mississippi or a spouse or dependent of such a civilian.

333 () I am a trained or certified emergency response provider
334 deployed during any state of emergency declared by the President
335 of the United States or Governor of any state within the United
336 States and am a citizen of Mississippi or a spouse or dependent of
337 such an emergency response provider.

338 () I am a citizen of Mississippi temporarily residing
339 outside the territorial limits of the United States and the
340 District of Columbia.

341 () I am a student, teacher or administrator at a college,
342 university, junior or community college, high, junior high,
343 elementary or grade school, whose studies or employment at such
344 institution necessitates my absence from the county of my voting
345 residence or a spouse or dependent of such a student, teacher or
346 administrator who maintains a common domicile outside the county



347 of my voting residence with such student, teacher or
348 administrator.

349 () I will be outside the county on election day.

350 () I have a temporary or permanent physical disability,
351 which may include, but is not limited to, a physician-imposed
352 quarantine due to COVID-19 during the year 2020. Or, I am caring
353 for a dependent that is under a physician-imposed quarantine due
354 to COVID-19 beginning with July 8, 2020, and the same being
355 repealed on December 31, 2020.

356 () I am sixty-five (65) years of age or older.

357 () I am the parent, spouse or dependent of a person with a
358 temporary or permanent physical disability who is hospitalized
359 outside his or her county of residence or more than fifty (50)
360 miles away from his or her residence, and I will be with such a
361 person on election day.

362 () I am a member of the congressional delegation, or a
363 spouse or dependent of a member of the congressional delegation.

364 () I am required to be at work on election day during the
365 times at which the polls will be open.

366 I hereby make application for an official ballot, or ballots,
367 to be voted by me at the election to be held in _____ (year),
368 _____ County, * * * for the _____ election.

369 Mail 'Absentee Elector's Ballot' to me at the following
370 address: _____ (if eligible to vote
371 by mail).



372 () Mailed ballots only: I wish to receive an absentee
373 ballot for the runoff election _____.

374 I realize that I can be fined up to Five Thousand Dollars
375 (\$5,000.00) and sentenced up to five (5) years in the Penitentiary
376 for making a false statement in this application and for selling
377 my vote and violating the Mississippi Absentee Voter Law. (This
378 sentence is to be in bold print.)

379 If you are temporarily or permanently disabled, you are not
380 required to have this application notarized or signed by an
381 official authorized to administer oaths for absentee balloting.
382 You are required to sign this application in the proper place and
383 have a person eighteen (18) years of age or older witness your
384 signature and sign this application in the proper place.

385 DO NOT SIGN WITHOUT READING. (This sentence is to be in bold
386 print.)

387 IN WITNESS WHEREOF, I have hereunto set my hand and seal this
388 the ____ day of _____, 2__.

389 _____

390 (Signature of absentee elector)

391 SWORN TO AND SUBSCRIBED before me this the ____ day of _____,
392 2__.

393 _____

394 (Official authorized to administer oaths
395 for absentee balloting.)



396 TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY
397 DISABLED:

398 I HEREBY CERTIFY that this application for an absentee
399 elector's ballot was signed by the above-named disabled elector in
400 my presence and that I am at least eighteen (18) years of age,
401 this the _____ day of _____, 2____.

402 _____
403 (Signature of witness)

404 CERTIFICATE OF DELIVERY

405 I hereby certify that _____ (print name of voter)
406 has requested that I, _____ (print name of person
407 delivering application), deliver to the voter this absentee ballot
408 application.

409 _____
410 (Signature of person delivering application)

411 _____
412 (Address of person delivering application)"

413 **SECTION 9.** Section 23-15-1053, Mississippi Code of 1972, is
414 amended as follows:

415 23-15-1053. Subject to federal law and national party rules:

416 (a) Any political party not registered in Mississippi
417 that seeks registration shall select an interim chair and
418 secretary to fulfill the registration requirements of this
419 article. After the initial registration under Section
420 23-15-1059(1), the party shall comply with the requirements of



421 paragraph (b) of this section and take any other action to comply
422 with this article.

423 (b) The State Executive Committee of each political
424 party shall determine the method and procedures for the selection
425 of county executive committees and the State Executive Committees.
426 The State Executive Committee of the political party shall
427 establish procedures for the selection of county and State
428 Executive Committees at least ninety (90) days before the
429 implementation of the procedures. A copy of any rule or
430 regulation adopted by the State Executive Committee shall be sent
431 to the Secretary of State within seven (7) days after its adoption
432 to become a public record.

433 **SECTION 10.** Section 23-15-13, Mississippi Code of 1972, is
434 amended as follows:

435 23-15-13. (1) An elector who moves from one (1) ward or
436 voting precinct to another ward within the same municipality or
437 voting precinct within the same county shall not be disqualified
438 to vote, but he or she shall be entitled to have his or her
439 registration transferred to his or her new ward or voting precinct
440 upon making written or online request therefor at any time up to
441 thirty (30) days before the election at which he or she offers to
442 vote, and if the removal occurs within thirty (30) days of such
443 election he or she shall be entitled to vote in his or her new
444 ward or voting precinct by affidavit ballot as provided in Section
445 23-15-573. If the thirtieth day to transfer the elector's



446 registration before an election falls on a Sunday or legal
447 holiday, the transfer of the elector's registration submitted on
448 the business day immediately following the Sunday or legal holiday
449 shall be accepted and entered into the Statewide Elections
450 Management System for the purpose of enabling voters to vote in
451 the next election.

452 (2) If an elector requests a change in his or her address
453 under Section 23-15-49 and the address is located in a precinct in
454 the county or municipality that differs from the precinct as
455 reflected in the then current registration records, the request
456 shall be treated in the same manner as a written request to
457 transfer the elector's registration under subsection (1) of this
458 section.

459 **SECTION 11.** Section 23-15-33, Mississippi Code of 1972, is
460 amended as follows:

461 23-15-33. (1) Every person entitled to be registered as an
462 elector in compliance with the laws of this state and who has
463 signed his or her name on and properly completed the application
464 for registration to vote shall be registered by the county
465 registrar in the voting precinct of the residence of such person
466 through the Statewide Elections Management System.

467 (2) Every person entitled to be registered as an elector in
468 compliance with the laws of this state and who registers to vote
469 pursuant to the National Voter Registration Act of 1993 shall be
470 registered by the county registrar in the voting precinct of the



471 residence of such person through the Statewide Elections
472 Management System.

473 (3) Every person entitled to be registered to vote as an
474 elector in compliance with the laws of this state and who has
475 completed an application for registration to vote electronically
476 as authorized in Section 23-15-49 shall be registered by the
477 county registrar in the voting precinct of the residence of such
478 person through the Statewide Elections Management System.

479 **SECTION 12.** Section 23-15-35, Mississippi Code of 1972, is
480 amended as follows:

481 23-15-35. (1) The clerk of the municipality shall be the
482 registrar of voters of the municipality, and shall take the oath
483 of office prescribed by Section 268 of the Constitution. The
484 municipal registration shall conform to the county registration
485 which shall be a part of the official record of registered voters
486 as contained in the Statewide Elections Management System. The
487 municipal clerk shall comply with all the provisions of law
488 regarding the registration of voters, including the use of the
489 voter registration applications used by county registrars and
490 prescribed by the Secretary of State under Sections 23-15-39 and
491 23-15-47 and online voter registration authorized in Section
492 23-15-49.

493 (2) The municipal clerk shall be authorized to register
494 applicants as county electors. The municipal clerk shall forward
495 notice of registration, a copy of the application for



496 registration, and any changes to the registration when they occur,
497 either by certified mail to the county registrar or by personal
498 delivery to the county registrar provided that a numbered receipt
499 is signed by the county registrar in return for the described
500 documents. Upon receipt of the copy of the application for
501 registration or changes to the registration, and if a review of
502 the application indicates that the applicant meets all the
503 criteria necessary to qualify as a county elector, then the county
504 registrar shall make a determination of the county voting precinct
505 in which the person making the application shall be required to
506 vote. The county registrar shall send this county voting precinct
507 information by United States first-class mail, postage prepaid, to
508 the person at the address provided on the application. Any
509 mailing costs incurred by the municipal clerk or the county
510 registrar in effectuating this subsection (2) shall be paid by the
511 county board of supervisors. If a review of the copy of the
512 application for registration or changes to the registration
513 indicates that the applicant is not qualified to vote in the
514 county, the county registrar shall challenge the application. The
515 county election commissioners shall review any challenge or
516 disqualification, after having notified the applicant by certified
517 mail of the challenge or disqualification.

518 (3) The municipal clerk shall issue to the person making the
519 application a copy of the application and the county registrar



520 shall process the application in accordance with the law regarding
521 the handling of voter registration applications.

522 (4) The receipt of a copy of the application for
523 registration sent pursuant to Section 23-15-39(3) shall be
524 sufficient to allow the applicant to be registered as an elector
525 in the municipality, provided that such application is not
526 challenged as provided for therein.

527 (5) The municipal clerk of each municipality shall provide
528 the county registrar in which the municipality is located the
529 information necessary to conform the municipal registration to the
530 county registration which shall be a part of the official record
531 of registered voters as contained in the Statewide Elections
532 Management System. If any changes to the information occur as a
533 result of redistricting, annexation or other reason, it shall be
534 the responsibility of the municipal clerk to timely provide the
535 changes to the county registrar.

536 **SECTION 13.** Section 23-15-37, Mississippi Code of 1972, is
537 amended as follows:

538 23-15-37. (1) The registrar shall register the electors of
539 his or her county at any time during regular office hours.

540 (2) The county registrar may keep his or her office open to
541 register voters from 8:00 a.m. until 7:00 p.m., including the noon
542 hour, for the five (5) business days immediately preceding the
543 thirtieth day before any regularly scheduled primary or general
544 election. The county registrar shall also keep his or her office



545 open from 8:00 a.m. until 12:00 noon on the Saturday immediately
546 preceding the thirtieth day before any regularly scheduled primary
547 or general election, unless that Saturday falls on a legal
548 holiday, in which case registration applications submitted on the
549 Monday immediately following the legal holiday shall be accepted
550 and entered in the Statewide Elections Management System for the
551 purpose of enabling such voters to vote in the next primary or
552 general election.

553 (3) The registrar, or any deputy registrar duly appointed by
554 law, may visit and spend such time as he or she may deem necessary
555 at any location in his or her county, selected by the registrar
556 not less than thirty (30) days before an election, for the purpose
557 of registering voters.

558 (4) A person who is physically disabled and unable to visit
559 the office of the registrar to register to vote due to such
560 disability may contact the registrar and request that the
561 registrar or the registrar's deputy visit him or her for the
562 purpose of registering such person to vote. The registrar or the
563 registrar's deputy shall visit that person as soon as possible
564 after such request and provide the person with an application for
565 registration, if necessary. The completed application for
566 registration shall be executed in the presence of the registrar or
567 the registrar's deputy.

568 (5) (a) In the fall and spring of each year the registrar
569 of each county shall furnish all public schools with instructions



570 for submitting an online voter registration application and
571 mail-in voter registration applications. The instructions and
572 applications shall be provided in a reasonable time to enable
573 those students who will be eighteen (18) years of age before a
574 general election to be able to vote in the primary and general
575 elections.

576 (b) Each public school district shall permit access to
577 all public schools of this state for the county registrar or the
578 county registrar's deputy to register persons who are eligible to
579 vote and to provide voter education.

580 **SECTION 14.** Section 23-15-39, Mississippi Code of 1972, is
581 amended as follows:

582 23-15-39. (1) Applications for registration as electors of
583 this state, which are submitted online as authorized in Section
584 23-15-49 or sworn to and subscribed before the registrar or deputy
585 registrar authorized by law and which are not made by mail, shall
586 be made upon a form established by rule duly adopted by the
587 Secretary of State.

588 (2) The boards of supervisors shall make proper allowances
589 for office supplies reasonably necessitated by the registration of
590 county electors.

591 (3) If the applicant indicates on the application that he or
592 she resides within the city limits of a city or town in the county
593 of registration, the county registrar shall process the



594 application for registration or changes to the registration as
595 provided by law.

596 (4) If the applicant indicates on the application that he or
597 she has previously registered to vote in another county of this
598 state or another state, notice to the voter's previous county of
599 registration in this state shall be provided by the Statewide
600 Elections Management System. If the voter's previous place of
601 registration was in another state, notice shall be provided to the
602 voter's previous state of residence if the Statewide Elections
603 Management System has that capability.

604 (5) The county registrar shall provide to the person making
605 the application a copy of the application upon which has been
606 written the county voting precinct and municipal voting precinct,
607 if any, in which the person shall vote. Upon entry of the voter
608 registration information into the Statewide Elections Management
609 System, the system shall assign a voter registration number to the
610 person, and the county registrar shall mail the applicant a voter
611 registration card to the mailing address provided on the
612 application.

613 (6) Any person desiring * * * to apply for registration may
614 apply online as authorized in Section 23-15-49 or may secure an
615 application from the registrar of the county of which he or she is
616 a resident and may take the application with him or her and secure
617 assistance in completing the application from any person of the
618 applicant's choice. It shall be the duty of all registrars to



619 furnish applications for registration to all persons requesting
620 them, and it shall likewise be the registrar's duty to furnish aid
621 and assistance in the completing of the application when requested
622 by an applicant. Unless completed online as authorized in Section
623 23-15-49, the application for registration shall be sworn to and
624 subscribed before the registrar or deputy registrar at the
625 municipal clerk's office, the county registrar's office or any
626 other location where the applicant is allowed to register to vote.
627 The registrar shall not charge a fee or cost to the applicant for
628 accepting the application or administering the oath or for any
629 other duty imposed by law regarding the registration of electors.

630 (7) If the person making the application is unable to read
631 or write, for reason of disability or otherwise, he or she shall
632 not be required to personally complete the application in writing
633 and execute the oath. In such cases, the registrar or deputy
634 registrar shall read the application and oath to the person and
635 the person's answers thereto shall be recorded by the registrar or
636 the registrar's deputy. The person shall be registered as an
637 elector if he or she otherwise meets the requirements to be
638 registered as an elector. The registrar shall record the
639 responses of the person and the recorded responses shall be
640 retained permanently by the registrar. The county registrar shall
641 enter the voter registration information into the Statewide
642 Elections Management System and designate the entry as an assisted
643 filing.



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

648 (9) In any case in which the corporate boundaries of a
649 municipality change, whether by annexation or redistricting, the
650 municipal clerk shall, within ten (10) days after approval of the
651 change in corporate boundaries, provide to the county registrar
652 conforming geographic data that is compatible with the Statewide
653 Elections Management System. The data shall be developed by the
654 municipality's use of a standardized format specified by the
655 Statewide Elections Management System. The county registrar,
656 county election commissioner or other county official, who has
657 completed an annual training seminar sponsored by the Secretary of
658 State pertaining to the implementation of new boundary lines in
659 the Statewide Elections Management System and received
660 certification for that training, shall update the municipal
661 boundary information into the Statewide Elections Management
662 System. The Statewide Elections Management System updates the
663 municipal voter registration records and assigns electors to their
664 municipal voting precincts. The county registrar shall forward to
665 the municipal clerk written notification of the additions and
666 changes, and the municipal clerk shall forward to the affected
667 municipal electors written notification of the additions and
668 changes.



669 **SECTION 15.** Section 23-15-41, Mississippi Code of 1972, is
670 amended as follows:

671 23-15-41. (1) When an applicant to register to vote has
672 completed the application form as prescribed by administrative
673 rule or Section 23-15-49, the county registrar shall enter the
674 applicant's information into the Statewide Elections Management
675 System where the applicant's status will be marked as "ACTIVE,"
676 "PENDING" or "REJECTED," and the applicant shall be entitled to
677 register upon his or her request for registration made online as
678 authorized in Section 23-15-49 or in person to the registrar, or
679 deputy registrar if a deputy registrar has been appointed. No
680 person other than the registrar, or a deputy registrar, shall
681 register any applicant.

682 (2) If an applicant is not qualified to register to vote,
683 then the registrar shall enter the applicant's information into
684 the Statewide Elections Management System and mark the applicant's
685 status as "PENDING" or "REJECTED," with the specific reason or
686 reasons for that status noted. The registrar shall notify the
687 election commission of those applicants rejected.

688 **SECTION 16.** Section 23-15-79, Mississippi Code of 1972, is
689 amended as follows:

690 23-15-79. (1) Unless the application for registration was
691 made pursuant to Section 23-15-47 or Section 23-15-49, the date of
692 registration to vote shall be the date the application for
693 registration to vote was initially received by the registrar or,



694 if submitted by mail, the postmark date, regardless of the date on
695 which the county election commission, circuit court or Supreme
696 Court, as the case may be, makes its final determination allowing
697 the registration.

698 (2) In the case of an application for registration that has
699 been made pursuant to Section 23-15-47, the date of registration
700 to vote shall be the date the complete and legible application
701 form is received by the county registrar, or, if mailed, the
702 postmark date of the complete and legible application.

703 (3) In the case of an application for registration which has
704 been made pursuant to Section 23-15-49, the date of registration
705 to vote shall be the date the completed application is submitted
706 to the website pursuant to Section 23-15-49.

707 **SECTION 17.** Section 23-15-125, Mississippi Code of 1972, is
708 amended as follows:

709 23-15-125. The pollbook of each voting precinct shall
710 designate the voting precinct for which it is to be used, and
711 shall be ruled in appropriate columns, with printed or written
712 headings, as follows: date of registration; voter registration
713 number; name of electors; date of birth; and a number of blank
714 columns for the dates of elections. All qualified applicants who
715 register with the registrar shall be entered in the Statewide
716 Elections Management System. Only the names of those qualified
717 applicants who register within thirty (30) days before an election
718 shall appear on the pollbooks of the election; however, if the



719 thirtieth day to register before an election falls on a Sunday or
720 legal holiday, the registration applications submitted on the
721 business day immediately following the legal holiday shall be
722 accepted and entered in the Statewide Elections Management System
723 for the purpose of enabling voters to vote in the next election.
724 When county election commissioners determine that any elector is
725 disqualified from voting, by reason of death, conviction of a
726 disenfranchising crime, removal from the jurisdiction, failure to
727 respond to the confirmation notice sent pursuant to Section
728 23-15-152, or other legal cause, that fact shall be noted in the
729 Statewide Elections Management System and the voter's name shall
730 be removed from the Statewide Elections Management System, the
731 state's voter roll and the county's pollbooks. Nothing in this
732 section shall preclude the use of electronic pollbooks.

733 **SECTION 18.** Section 23-15-153, Mississippi Code of 1972, is
734 amended as follows:

735 23-15-153. (1) At least during the following times, the
736 election commissioners shall meet at the office of the registrar
737 or the office of the election commissioners to carefully revise
738 the county voter roll as electronically maintained by the
739 Statewide Elections Management System and remove from the roll the
740 names of all voters who have requested to be purged from the voter
741 roll, died, received an adjudication of non compos mentis, been
742 convicted of a disenfranchising crime, failed to respond to the
743 confirmation notice sent pursuant to Section 23-15-152, or



744 otherwise become disqualified as electors for any cause, and shall
745 register the names of all persons who have duly applied to be
746 registered but have been illegally denied registration:

747 (a) On the Tuesday after the second Monday in January
748 1987 and every following year;

749 (b) On the first Tuesday in the month immediately
750 preceding the first primary election for members of Congress in
751 the years when members of Congress are elected;

752 (c) On the first Monday in the month immediately
753 preceding the first primary election for state, state district
754 legislative, county and county district offices in the years in
755 which those offices are elected; * * *

756 (d) On the second Monday of September preceding the
757 general election or regular special election day in years in which
758 a general election is not conducted * * *; and

759 (e) As provided in Section 23-15-152.

760 Except for the names of those voters who are duly qualified
761 to vote in the election, no name shall be permitted to remain in
762 the Statewide Elections Management System; however, no name shall
763 be purged from the Statewide Elections Management System based on
764 a change in the residence of an elector except in accordance with
765 procedures provided for by the National Voter Registration Act of
766 1993. Except as otherwise provided by Section 23-15-573, no
767 person shall vote at any election whose name is not in the county



768 voter roll electronically maintained by the Statewide Elections
769 Management System.

770 (2) Except as provided in this section, and subject to the
771 following annual limitations, the election commissioners shall be
772 entitled to receive a per diem in the amount of One Hundred
773 Dollars (\$100.00), to be paid from the county general fund, for
774 every day or period of no less than five (5) hours accumulated
775 over two (2) or more days actually employed in the performance of
776 their duties in the conduct of an election or actually employed in
777 the performance of their duties for the necessary time spent in
778 the revision of the county voter roll as electronically maintained
779 by the Statewide Elections Management System as required in
780 subsection (1) of this section:

781 (a) In counties having less than fifteen thousand
782 (15,000) residents according to the latest federal decennial
783 census, not more than fifty (50) days per year, with no more than
784 fifteen (15) additional days allowed for the conduct of each
785 election in excess of one (1) occurring in any calendar year;

786 (b) In counties having fifteen thousand (15,000)
787 residents according to the latest federal decennial census but
788 less than thirty thousand (30,000) residents according to the
789 latest federal decennial census, not more than seventy-five (75)
790 days per year, with no more than twenty-five (25) additional days
791 allowed for the conduct of each election in excess of one (1)
792 occurring in any calendar year;



793 (c) In counties having thirty thousand (30,000)
794 residents according to the latest federal decennial census but
795 less than seventy thousand (70,000) residents according to the
796 latest federal decennial census, not more than one hundred (100)
797 days per year, with no more than thirty-five (35) additional days
798 allowed for the conduct of each election in excess of one (1)
799 occurring in any calendar year;

800 (d) In counties having seventy thousand (70,000)
801 residents according to the latest federal decennial census but
802 less than ninety thousand (90,000) residents according to the
803 latest federal decennial census, not more than one hundred
804 twenty-five (125) days per year, with no more than forty-five (45)
805 additional days allowed for the conduct of each election in excess
806 of one (1) occurring in any calendar year;

807 (e) In counties having ninety thousand (90,000)
808 residents according to the latest federal decennial census but
809 less than one hundred seventy thousand (170,000) residents
810 according to the latest federal decennial census, not more than
811 one hundred fifty (150) days per year, with no more than
812 fifty-five (55) additional days allowed for the conduct of each
813 election in excess of one (1) occurring in any calendar year;

814 (f) In counties having one hundred seventy thousand
815 (170,000) residents according to the latest federal decennial
816 census but less than two hundred thousand (200,000) residents
817 according to the latest federal decennial census, not more than



818 one hundred seventy-five (175) days per year, with no more than
819 sixty-five (65) additional days allowed for the conduct of each
820 election in excess of one (1) occurring in any calendar year;

821 (g) In counties having two hundred thousand (200,000)
822 residents according to the latest federal decennial census but
823 less than two hundred twenty-five thousand (225,000) residents
824 according to the latest federal decennial census, not more than
825 one hundred ninety (190) days per year, with no more than
826 seventy-five (75) additional days allowed for the conduct of each
827 election in excess of one (1) occurring in any calendar year;

828 (h) In counties having two hundred twenty-five thousand
829 (225,000) residents according to the latest federal decennial
830 census but less than two hundred fifty thousand (250,000)
831 residents according to the latest federal decennial census, not
832 more than two hundred fifteen (215) days per year, with no more
833 than eighty-five (85) additional days allowed for the conduct of
834 each election in excess of one (1) occurring in any calendar year;

835 (i) In counties having two hundred fifty thousand
836 (250,000) residents according to the latest federal decennial
837 census but less than two hundred seventy-five thousand (275,000)
838 residents according to the latest federal decennial census, not
839 more than two hundred thirty (230) days per year, with no more
840 than ninety-five (95) additional days allowed for the conduct of
841 each election in excess of one (1) occurring in any calendar year;



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

848 (3) In addition to the number of days authorized in
849 subsection (2) of this section, the board of supervisors of a
850 county may authorize, in its discretion, the election
851 commissioners to receive a per diem in the amount provided for in
852 subsection (2) of this section, to be paid from the county general
853 fund, for every day or period of no less than five (5) hours
854 accumulated over two (2) or more days actually employed in the
855 performance of their duties in the conduct of an election or
856 actually employed in the performance of their duties for the
857 necessary time spent in the revision of the county voter roll as
858 electronically maintained by the Statewide Elections Management
859 System as required in subsection (1) of this section, not to
860 exceed five (5) days.

861 (4) (a) The election commissioners shall be entitled to
862 receive a per diem in the amount of One Hundred Dollars (\$100.00),
863 to be paid from the county general fund, not to exceed ten (10)
864 days for every day or period of no less than five (5) hours
865 accumulated over two (2) or more days actually employed in the
866 performance of their duties for the necessary time spent in the



867 revision of the county voter roll as electronically maintained by
868 the Statewide Elections Management System before any special
869 election. For purposes of this paragraph, the regular special
870 election day shall not be considered a special election. The
871 annual limitations set forth in subsection (2) of this section
872 shall not apply to this paragraph.

873 (b) The election commissioners shall be entitled to
874 receive a per diem in the amount of One Hundred Fifty Dollars
875 (\$150.00), to be paid from the county general fund, for the
876 performance of their duties on the day of any primary, runoff,
877 general or special election. The annual limitations set forth in
878 subsection (2) of this section shall apply to this paragraph.

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

887 (5) The election commissioners shall be entitled to receive
888 a per diem in the amount of One Hundred Dollars (\$100.00), to be
889 paid from the county general fund, not to exceed fourteen (14)
890 days for every day or period of no less than five (5) hours
891 accumulated over two (2) or more days actually employed in the



892 performance of their duties for the necessary time spent in the
893 revision of the county voter roll as electronically maintained by
894 the Statewide Elections Management System and in the conduct of a
895 runoff election following either a general or special election.

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

900 (7) In preparation for a municipal primary, runoff, general
901 or special election, the county registrar shall generate and
902 distribute the master voter roll and pollbooks from the Statewide
903 Elections Management System for the municipality located within
904 the county. The municipality shall pay the county registrar for
905 the actual cost of preparing and printing the municipal master
906 voter roll pollbooks. A municipality may secure "read only"
907 access to the Statewide Elections Management System and print its
908 own pollbooks using this information.

909 (8) County election commissioners who perform the duties of
910 an executive committee with regard to the conduct of a primary
911 election under a written agreement authorized by law to be entered
912 into with an executive committee shall receive per diem as
913 provided for in subsection (2) of this section. The days that
914 county election commissioners are employed in the conduct of a
915 primary election shall be treated the same as days county election
916 commissioners are employed in the conduct of other elections.



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

921 (10) Every election commissioner shall sign personally a
922 certification setting forth the number of hours actually worked in
923 the performance of the commissioner's official duties and for
924 which the commissioner seeks compensation. The certification must
925 be on a form as prescribed in this subsection. The commissioner's
926 signature is, as a matter of law, made under the commissioner's
927 oath of office and under penalties of perjury.

928 The certification form shall be as follows:

929 **COUNTY ELECTION COMMISSIONER**

930 **PER DIEM CLAIM FORM**

931 NAME: _____ COUNTY: _____

932 ADDRESS: _____ DISTRICT: _____

933 CITY: _____ ZIP: _____

934 PURPOSE APPLICABLE ACTUAL PER DIEM

935 DATE BEGINNING ENDING OF MS CODE HOURS DAYS

936 WORKED TIME TIME WORK SECTION WORKED EARNED

937 _____

938 _____

939 _____

940 TOTAL NUMBER OF PER DIEM DAYS EARNED

941 EXCLUDING ELECTION DAYS _____



942 PER DIEM RATE PER DAY EARNED X \$100.00
943 TOTAL NUMBER PER DIEM DAYS EARNED
944 FOR ELECTION DAYS _____
945 PER DIEM RATE PER DAY EARNED X \$150.00
946 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

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

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

952 Signed this the _____ day of _____, ____.

953 _____
954 Commissioner's Signature

955 When properly completed and signed, the certification must be
956 filed with the clerk of the county board of supervisors before any
957 payment may be made. The certification will be a public record
958 available for inspection and reproduction immediately upon the
959 oral or written request of any person.

960 Any person may contest the accuracy of the certification in
961 any respect by notifying the chair of the commission, any member
962 of the board of supervisors or the clerk of the board of
963 supervisors of the contest at any time before or after payment is
964 made. If the contest is made before payment is made, no payment
965 shall be made as to the contested certificate until the contest is
966 finally disposed of. The person filing the contest shall be



967 entitled to a full hearing, and the clerk of the board of
968 supervisors shall issue subpoenas upon request of the contestor
969 compelling the attendance of witnesses and production of documents
970 and things. The contestor shall have the right to appeal de novo
971 to the circuit court of the involved county, which appeal must be
972 perfected within thirty (30) days from a final decision of the
973 commission, the clerk of the board of supervisors or the board of
974 supervisors, as the case may be.

975 Any contestor who successfully contests any certification
976 will be awarded all expenses incident to his or her contest,
977 together with reasonable attorney's fees, which will be awarded
978 upon petition to the chancery court of the involved county upon
979 final disposition of the contest before the election commission,
980 board of supervisors, clerk of the board of supervisors, or, in
981 case of an appeal, final disposition by the court. The
982 commissioner against whom the contest is decided shall be liable
983 for the payment of the expenses and attorney's fees, and the
984 county shall be jointly and severally liable for same.

985 (11) Any election commissioner who has not received a
986 certificate issued by the Secretary of State pursuant to Section
987 23-15-211 indicating that the election commissioner has received
988 the required elections seminar instruction and that the election
989 commissioner is fully qualified to conduct an election, shall not
990 receive any compensation authorized by this section or Section
991 23-15-239.



992 **SECTION 19.** Section 23-15-15, Mississippi Code of 1972,
993 which is the provision that requires documentation of naturalized
994 persons, is repealed.

995 **SECTION 20.** This act shall take effect and be in force from
996 and after July 1, 2022.

