

By: Senator(s) Tate, England

To: Elections;
Accountability, Efficiency,
Transparency

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2606

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

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

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

20 23-15-15. * * * (1) Upon receiving a completed voter
21 registration application, the registrar shall enter the applicant
22 into the Statewide Elections Management System. Said registration
23 application shall be compared with the Department of Public Safety
24 driver's license and identification information. If such
25 information does not confirm that a particular applicant is a



26 citizen of the United States, the Statewide Elections Management
27 System shall notify the registrar, or his or her designee, that
28 the applicant may not be a citizen of the United States.

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

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

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

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

48 (4) For purposes of this section, proof of citizenship
49 includes, but is not limited to:



50 (a) The applicant's birth certificate or a legible
51 photocopy of the birth certificate;

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

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

64 (d) Any document or method of proof of citizenship
65 established by the Federal Immigration Reform and Control Act of
66 1986, Public Law 99 603, compiled in 8 USC Section 1101 et seq.

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

70 (6) If the applicant does not reply to the notice or provide
71 proof of citizenship, the registrar of the county, or his or her
72 designee, where the person registered to vote shall mark the
73 applicant as pending in the Statewide Elections Management System
74 for the next two (2) federal general elections:



75 (a) A voter in pending status may cast an affidavit
76 ballot. The affidavit ballot shall be considered if the voter
77 provides the required documentation under subsection (4) of this
78 section to the registrar within five (5) days of casting the
79 affidavit ballot.

80 (b) If the applicant fails to respond to the notice or
81 cast an affidavit ballot within two (2) federal general elections,
82 the registrar shall mark the applicant as rejected in the
83 Statewide Election Management System.

84 (7) In the event an applicant is unable to provide any
85 documentation listed in subsection (4) of this section to show
86 proof of citizenship, the applicant may appeal to the Board of
87 Election Commissioners of the county in which he or she attempted
88 to register and submit additional proof of citizenship in person
89 or in writing. The Board of Election Commissioners shall conduct
90 a hearing and make a finding concerning the individual's
91 citizenship status and shall forward a copy of their decision to
92 the registrar, or his or her designee, of the county where the
93 person resides as established in Section 23-15-61. The Statewide
94 Elections Management System shall be changed by the registrar, or
95 his or her designee, to accurately reflect the decision of the
96 Board of Election Commissioners with respect to such applicant.

97 **SECTION 2.** This act shall take effect and be in force from
98 and after July 1, 2022.

