

By: Senator(s) Tate

To: Elections;  
Accountability, Efficiency,  
Transparency

SENATE BILL NO. 2606

1 AN ACT TO CODIFY NEW SECTION 23-15-15.1, MISSISSIPPI CODE OF  
2 1972, TO PROVIDE THAT THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM  
3 SHALL BE COMPARED TO THE IDENTIFICATION DATABASES A SINGLE TIME TO  
4 ENSURE NON-UNITED STATES CITIZENS ARE NOT REGISTERED TO VOTE; TO  
5 PROVIDE THE NOTIFICATION REQUIRED WHEN A NON-UNITED STATES CITIZEN  
6 IS FOUND TO BE REGISTERED TO VOTE; TO PROVIDE THE DOCUMENTATION  
7 THAT MUST BE SUBMITTED AS PROOF OF CITIZENSHIP; TO AMEND SECTION  
8 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING  
9 SECTION; TO REPEAL SECTION 23-15-15, MISSISSIPPI CODE OF 1972,  
10 WHICH PROVIDES THE DOCUMENTATION THAT A NATURALIZED CITIZEN MUST  
11 PRESENT IN ORDER TO REGISTER TO VOTE OR TO VOTE; AND FOR RELATED  
12 PURPOSES.

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

14 **SECTION 1.** The following shall be codified as Section  
15 23-15-15.1, Mississippi Code of 1972:

16 23-15-15.1 (1) (a) The Secretary of State shall compare  
17 the entire Statewide Elections Management System with the state's  
18 identification databases to ensure non-United States citizens are  
19 not registered to vote in this state a single time within one (1)  
20 year of the effective date of this act.

21 (b) The Secretary of State is authorized to enter into  
22 a memorandum of understanding to compare the Statewide Elections



23 Management System with relevant state agencies and county records  
24 for the same purpose.

25 (c) If evidence exists that a particular registered  
26 voter is not a citizen of the United States, the Statewide  
27 Elections Management System shall notify the registrar, or his or  
28 her designee, where the person registered to vote and that the  
29 registered voter may not be a citizen of the United States.

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

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

37 (b) If both the state's identification databases and  
38 the database in paragraph (2)(a) of this subsection indicate that  
39 the registered voter is a noncitizen, send a notice to the  
40 registered voter inquiring whether the individual is eligible to  
41 be registered to vote.

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

46 (4) For purposes of this subsection (4), proof of  
47 citizenship includes, but is not limited to:



48           (a) The voter's birth certificate or a legible  
49 photocopy of the birth certificate;

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

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

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

65           (5) If the registered voter does not provide proof of  
66 citizenship within thirty (30) days of the receipt of the  
67 notification, the registrar of the county, or his or her designee,  
68 where the person registered to vote shall purge the voter from the  
69 Statewide Elections Management System.

70           (6) In the event a voter is unable to provide any  
71 documentation listed in subsection (3) of this section to show  
72 proof of citizenship, the voter may appeal to the Board of



73 Election Commissioners of the county in which he or she attempted  
74 to register and submit additional proof of citizenship in person  
75 or in writing. The Board of Election Commissioners shall conduct  
76 a hearing and make a finding concerning the individual's  
77 citizenship status and shall forward a copy of their decision to  
78 the registrar, or his or her designee, of the county where the  
79 person resides as established in Section 23-15-61. The Statewide  
80 Elections Management System shall be changed by the registrar, or  
81 his or her designee, to accurately reflect the decision of the  
82 Board of Election Commissioners with respect to such voter.

83 (7) All documentation provided to show proof of citizenship  
84 as well as the Department of Public Safety database or relevant  
85 federal and state agency and county records shall be confidential  
86 and shall not be available for inspection by the public.

87 (8) The Secretary of State shall adopt the necessary rules  
88 and regulations for the administration of this section.

89 **SECTION 2.** Section 23-15-165, Mississippi Code of 1972, is  
90 amended as follows:

91 23-15-165. (1) The Office of the Secretary of State, in  
92 cooperation with the county registrars and election commissioners,  
93 shall procure, implement and maintain an electronic information  
94 processing system and programs capable of maintaining a  
95 centralized database of all registered voters in the state. The  
96 system shall encompass software and hardware, at both the state  
97 and county level, software development training, conversion and



98 support and maintenance for the system. This system shall be  
99 known as the "Statewide Elections Management System" and shall  
100 constitute the official record of registered voters in every  
101 county of the state.

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

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

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

109 (c) Receive regular reports of death, changes of  
110 address and convictions for disenfranchising crimes that apply to  
111 voters registered in the county; \* \* \*

112 (d) Retain all present functionality related to, but  
113 not limited to, the use of voter roll data and to implement such  
114 other functionality as the law requires to enhance the maintenance  
115 of accurate county voter records and related jury selection and  
116 redistricting programs \* \* \*; and

117 (e) When evidence exists that a particular registered  
118 voter may not be a citizen of the United States, send notification  
119 to the registrar of the location where the person is registered to  
120 vote.

121 (3) As a part of the procurement and implementation of the  
122 system, the Office of the Secretary of State shall, with the



123 assistance of the advisory committee, procure services necessary  
124 to convert current voter registration records in the counties into  
125 a standard, industry accepted file format that can be used on the  
126 Statewide Elections Management System. Thereafter, all official  
127 voter information shall be maintained on the Statewide Elections  
128 Management System. The standard industry accepted format of data  
129 was reviewed and approved by a majority of the advisory committee  
130 created in subsection (5) of this section after consultation with  
131 the Circuit Clerks Association and the format may not be changed  
132 without consulting the Circuit Clerks Association.

133 (4) The Secretary of State may, with the assistance of the  
134 advisory committee, adopt rules and regulations necessary to  
135 administer the Statewide Elections Management System. The rules  
136 and regulations shall at least:

137 (a) Provide for the establishment and maintenance of a  
138 centralized database for all voter registration information in the  
139 state;

140 (b) Provide procedures for integrating data into the  
141 centralized database;

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

146 (d) Provide the registrar or his or her designee or  
147 other appropriate official, as the law may require, access to the



148 system at all times, including the ability to download copies of  
149 the industry standard file, for all purposes related to their  
150 official duties, including, but not limited to, exclusive access  
151 for the purpose of printing all local pollbooks;

152 (e) Provide security and protection of all information  
153 in the system and monitor the system to ensure that unauthorized  
154 access is not allowed;

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

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

162 (5) The Secretary of State established an advisory committee  
163 to assist in developing system specifications, procurement,  
164 implementation and maintenance of the Statewide Elections  
165 Management System. The committee included two (2) representatives  
166 from the Circuit Clerks Association, appointed by the association;  
167 two (2) representatives from the Election Commissioners  
168 Association of Mississippi, appointed by the association; one (1)  
169 member of the Mississippi Association of Supervisors, or its  
170 staff, appointed by the association; the Director of the Stennis  
171 Institute of Government at Mississippi State University, or his or  
172 her designee; the Executive Director of the Department of



173 Information Technology Services, or his or her designee; two (2)  
174 persons knowledgeable about elections and information technology  
175 appointed by the Secretary of State; and the Secretary of State,  
176 who shall serve as the chair of the advisory committee.

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

182 (b) Copies of statewide, district, county or municipal  
183 voter registration files, excluding social security numbers,  
184 telephone numbers and date of birth and age information, shall be  
185 provided to any person in accordance with the Mississippi Public  
186 Records Act of 1983 at a cost not to exceed the actual cost of  
187 production.

188 **SECTION 3.** Section 23-15-15, Mississippi Code of 1972, which  
189 provides that any person who has acquired citizenship by order or  
190 decree of naturalization and who is otherwise qualified to  
191 register and vote under the laws of the State of Mississippi shall  
192 present or exhibit to the registrar of the county of his or her  
193 residence, at or before the time he or she may offer to register,  
194 a certified copy of the final order or decree of naturalization,  
195 or a Certificate of Naturalization or duplicate thereof, or a  
196 certified copy of such Certificate of Naturalization or duplicate  
197 in order to be allowed to register or to vote, is repealed.





198           **SECTION 4.** This act shall take effect and be in force from  
199 and after July 1, 2022.

