

By: Senator(s) Tate, England

To: Elections;  
Accountability, Efficiency,  
Transparency

SENATE BILL NO. 2606  
(As Passed the Senate)

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 its passage.

