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

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

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

23-15-15. ***(1) Upon receiving a completed voter registration application, the registrar shall enter the applicant into the Statewide Elections Management System. Said registration application shall be compared with the Department of Public Safety driver's license and identification information. If such information does not confirm that a particular applicant is a**
citizen of the United States, the Statewide Elections Management System shall notify the registrar, or his or her designee, that the applicant may not be a citizen of the United States.

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

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

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

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

(4) For purposes of this section, proof of citizenship includes, but is not limited to:
(a) The applicant's birth certificate or a legible photocopy of the birth certificate;
(b) A United States passport, or a legible photocopy of the pertinent pages of the passport, identifying the applicant and showing the passport number;
(c) The applicant's United States naturalization documentation, a legible photocopy of the naturalization documentation, or the number of the applicant's Certificate of Naturalization; except that any person who provides the number of the Certificate of Naturalization in lieu of the naturalization documentation shall not be deemed to have provided proof of citizenship until the number is verified with the United States Citizenship and Immigration Services in the Department of Homeland Security or its successor; or
(d) Any document or method of proof of citizenship established by the Federal Immigration Reform and Control Act of 1986, Public Law 99-603, compiled in 8 USC Section 1101 et seq.
(5) If the applicant provides proof of citizenship and meets all other qualifications provided by law, the registrar shall register the applicant to vote.
(6) If the applicant does not reply to the notice or provide proof of citizenship, the registrar of the county, or his or her designee, where the person registered to vote shall mark the applicant as pending in the Statewide Elections Management System for the next two (2) federal general elections:
(a) A voter in pending status may cast an affidavit ballot. The affidavit ballot shall be considered if the voter provides the required documentation under subsection (4) of this section to the registrar within five (5) days of casting the affidavit ballot.

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

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

SECTION 2. This act shall take effect and be in force from and after its passage.