

By: Senator(s) Tate

To: Elections;
Appropriations

SENATE BILL NO. 2879

1 AN ACT TO ENACT THE MISSISSIPPI VOTING MODERNIZATION ACT FOR
 2 THE PURPOSE OF MODERNIZING VOTING SYSTEMS IN THE STATE; TO DEFINE
 3 TERMS; TO ESTABLISH THE MISSISSIPPI VOTING MODERNIZATION GRANT
 4 PROGRAM TO BE ADMINISTERED BY THE SECRETARY OF STATE FOR THE
 5 PURPOSE OF REIMBURSING COUNTIES FOR THE PURCHASE OF MODERN VOTING
 6 SYSTEMS; TO PROVIDE THAT THE GRANT PROGRAM SHALL RECEIVE ANY FUNDS
 7 APPROPRIATED THEREFOR; TO REQUIRE THE SECRETARY OF STATE TO
 8 PROMULGATE PROCEDURES AND CERTIFICATIONS; TO PRESCRIBE A TIMEFRAME
 9 FOR THE GRANT OR DENIAL OF AN APPLICATION; TO PROVIDE THAT EACH
 10 COUNTY IS ELIGIBLE FOR A PRO RATA SHARE OF THE FUNDS APPROPRIATED
 11 OR MADE AVAILABLE TO THE PROGRAM; TO PRESCRIBE CERTAIN ELIGIBILITY
 12 REQUIREMENTS; TO AUTHORIZE COUNTIES TO APPLY FOR THE GRANT
 13 PROGRAM; TO REQUIRE THE SECRETARY OF STATE TO REPORT ON THE GRANT
 14 PROGRAM; TO PROVIDE FOR THE REPEAL SECTIONS 23-15-531,
 15 23-15-531.1, 23-15-531.2, 23-15-531.3, 23-15-531.4, 23-15-531.5,
 16 23-15-531.6, 23-15-531.9, 23-15-531.10 AND 23-15-531.12,
 17 MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE AUTHORITY FOR THE USE
 18 OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT AT POLLING PLACES,
 19 ON A CERTAIN DATE AND FOR RELATED PURPOSES.

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

21 **SECTION 1.** This act shall be known and may be cited as the
 22 "Mississippi Voting Modernization Act."

23 **SECTION 2.** As used in this act:

24 (a) "Department" means the Office of the Secretary of
 25 State.



26 (b) "Grant program" means the "Mississippi Voting
27 Modernization Grant Program" established in Section 3 of this act.

28 (c) "Voting system" means any voting machine, voting
29 device, precinct ballot scanner, ballot marking device, tabulation
30 server or vote tabulating device that:

31 (i) Does not utilize pre-scored punch card
32 ballots; and

33 (ii) Meets the certification requirements
34 promulgated by the Secretary of State.

35 **SECTION 3.** (1) (a) There is established within the
36 department the Mississippi Voting Modernization Grant Program
37 which shall be administered by the department for the purpose of
38 reimbursing counties for the purchase of modern voting systems.

39 (b) The grant program shall receive funds appropriated
40 to the Secretary of State therefor from the Capital Expense Fund
41 or other available source of money.

42 (2) By August 31, 2022, the department shall develop and
43 promulgate rules to provide for:

44 (a) The procedures of the grant program not
45 specifically enumerated in this act;

46 (b) The certification requirements of the voting
47 systems; and

48 (c) Other eligible expenses related to the costs of
49 conducting elections where a county has previously purchased



50 voting hardware or software or both that qualifies under the
51 requirements of this act.

52 (3) To be eligible for purchase under this grant program,
53 any voting machine, voting device, precinct ballot scanner, ballot
54 marking device or vote tabulating device shall not:

55 (a) Have the capability of wireless remote connections;
56 or

57 (b) Have the capacity for all wireless connection
58 capabilities to be disabled.

59 (4) The department shall review the application for funding
60 submitted by each county and grant or deny the application within
61 thirty (30) days of the receipt of the application.

62 **SECTION 4.** (1) For any election held in this state after
63 January 1, 2024, the officials in charge of the election shall
64 only use voting systems as defined by Section 2 of this act.

65 (2) The board of supervisors of any county may authorize the
66 circuit clerk to make application for grants under the procedures
67 and within the certification requirements established by the
68 department.

69 (3) Each county shall be eligible to receive a pro rata
70 share of the funds appropriated or otherwise made available to the
71 grant program based on the number of voting precincts in that
72 county.

73 (4) Counties may apply for grants for:



74 (a) Purchasing of voting system hardware, including the
75 software necessary to operate that hardware; and

76 (b) Incurring of other eligible expenses related to the
77 costs of conducting elections only if:

78 (i) The county is already in compliance with
79 Section 4(1) through previously acquired voting hardware or
80 software or both prior to the effective date of this act that
81 would have been eligible for purchase under this grant program; or

82 (ii) The county will have funds remaining from its
83 pro rata share provided for in subsection (3) of this section
84 after purchasing the necessary voting systems to bring the county
85 in compliance with Section 4(1).

86 (5) Any county receiving funds for the incurring of other
87 eligible expenses shall first apply the received funds under this
88 grant program toward any existing indebtedness for the purchase of
89 voting hardware or software.

90 **SECTION 5.** (1) The department shall provide a comprehensive
91 report on:

92 (a) The total number of counties that applied for
93 grants under this act;

94 (b) The total number of grants issued under the grant
95 program;

96 (c) The number of grants issued under Section 4(4) (a);

97 (d) The number of grants issued under Section 4(4) (b);



98 (e) The number of grants issued under Section 4(4)(c);
99 and

100 (f) Any recommendations for legislative amendment to
101 the grant program.

102 (2) By December 1, 2022, the department shall deliver the
103 report to the Lieutenant Governor, the Speaker of the House of
104 Representatives, the Chair of the Senate Elections Committee, and
105 the Chair of the House Apportionment and Elections Committee.

106 **SECTION 6.** Sections 23-15-531, 23-15-531.1, 23-15-531.2,
107 23-15-531.3, 23-15-531.4, 23-15-531.5, 23-15-531.6, 23-15-531.9,
108 23-15-531.10 and 23-15-531.12, Mississippi Code of 1972, which
109 provide the authority for the use of direct recording electronic
110 voting equipment at polling places, shall stand repealed on
111 December 1, 2023.

112 **SECTION 7.** This act shall take effect and be in force from
113 and after its passage.

