

By: Senator(s) Tate

To: Elections;  
Appropriations

SENATE BILL NO. 2879  
(As Passed the Senate)

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

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

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

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

26 (a) "Department" means the Department of Finance and  
27 Administration.



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

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

33 (i) Does not utilize pre-scored punch card  
34 ballots; and

35 (ii) Produces voter-verifiable paper ballots.

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

41 (b) The grant program shall receive funds appropriated  
42 to the Department of Finance and Administration therefor from the  
43 Capital Expense Fund or other available source of money.

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

46 (a) The procedures of the grant program not  
47 specifically enumerated in this act; and

48 (b) 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, such as encumbered debt of previously  
52 purchased voting machines.



53 (3) To be eligible for purchase under this grant program,  
54 any voting machine, voting device, precinct ballot scanner, ballot  
55 marking device or vote tabulating device shall:

56 (a) Not have the capability of wireless remote  
57 connections; or

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

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

63 (5) Before awarding a grant to a county for the future  
64 purchase of a voting system, the department shall require the  
65 county to provide a verified contract and purchase order.

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

69 (2) The board of supervisors of any county may authorize the  
70 circuit clerk or election commission to make application for  
71 grants under the procedures and within the certification  
72 requirements established by the department.

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

77 (4) Counties may apply for grants for:



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

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

82 (i) The county is already in compliance with  
83 subsection (1) of this section through previously acquired voting  
84 hardware or software or both prior to the effective date of this  
85 act that would have been eligible for purchase under this grant  
86 program; or

87 (ii) The county will have funds remaining from its  
88 pro rata share provided for in subsection (3) of this section  
89 after purchasing the necessary voting systems to bring the county  
90 in compliance with subsection (1) of this section.

91 (5) Any county receiving a grant for the future purchase of  
92 a voting system shall submit proof of payment to the department  
93 immediately upon completing the purchase.

94 (6) Any county receiving funds for the incurring of other  
95 eligible expenses shall first apply the received funds under this  
96 grant program toward any existing indebtedness for the purchase of  
97 voting hardware or software.

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

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



102           (b) The total number of grants issued under the grant  
103 program;

104           (c) The number of grants issued under Section 4(4) (a)  
105 of this act;

106           (d) The number of grants issued under Section 4(4) (b)  
107 of this act;

108           (e) The number of grants issued under Section 4(4) (c)  
109 of this act; and

110           (f) Any recommendations for legislative amendment to  
111 the grant program.

112           (2) By December 31, 2022, the department shall deliver the  
113 report to the Lieutenant Governor, the Speaker of the House of  
114 Representatives, the Chair of the Senate Elections Committee, and  
115 the Chair of the House Apportionment and Elections Committee.

116           **SECTION 6.** Sections 23-15-531, 23-15-531.1, 23-15-531.2,  
117 23-15-531.3, 23-15-531.4, 23-15-531.5, 23-15-531.6, 23-15-531.9,  
118 23-15-531.10 and 23-15-531.12, Mississippi Code of 1972, which  
119 provide the authority for the use of direct recording electronic  
120 voting equipment at polling places, shall stand repealed on  
121 December 1, 2023.

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

