

House Amendments to Senate Bill No. 2879

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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 July 1, 2022, and shall stand repealed on June 30, 2022.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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.

HR31\SB2879A.J

Andrew Ketchings
Clerk of the House of Representatives