

By: Senator(s) Blackwell

To: Elections

SENATE BILL NO. 2301

1 AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972,  
2 TO ESTABLISH PROVISIONS FOR ELECTRONIC VOTER REGISTRATION  
3 APPLICATIONS AND FOR THE SECRETARY OF STATE TO ESTABLISH A SECURE  
4 WEBSITE TO FACILITATE THE VOTER REGISTRATION APPLICATION PROCESS  
5 ELECTRONICALLY; TO AMEND SECTIONS 23-15-13, 23-15-35, 23-15-37,  
6 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO  
7 CONFORM; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 23-15-49, Mississippi Code of 1972, is  
10 amended as follows:

11 23-15-49. (1) \* \* \* A person may register to vote under  
12 this section if the person is:

13 (a) Eligible to register to vote under Section  
14 23-15-11; and

15 (b) Has a current and valid Mississippi driver's  
16 license or photo identification card issued by the Mississippi  
17 Department of Public Safety.

18 (2) A person described in subsection (1) of this section may  
19 submit a voter registration application using the procedures set  
20 forth in this section.



21 ( \* \* \*3) (a) The Secretary of State shall, with the  
22 support of the Mississippi Department of Public Safety, establish  
23 a secure Internet website to permit \* \* \* persons described in  
24 subsection (1) of this section to submit voter registration  
25 applications electronically.

26 (b) The electronic application shall present the  
27 applicant with a question asking whether or not the person is a  
28 United States citizen. The form of the electronic application,  
29 which must be in plain language, shall be established by rule duly  
30 adopted by the Secretary of State.

31 The Secretary of State may not transmit the information of  
32 any person who declines to send his information for voter  
33 registration purposes. The Secretary of State may not transmit  
34 the information of any person who indicates that he is not a  
35 United States citizen, nor may such person be asked any additional  
36 questions relevant to voter registration.

37 For each person who has identified himself or herself as a  
38 United States citizen, the Secretary of State shall request any  
39 information as may be required by law to ensure that the person  
40 meets all voter registration eligibility requirements.

41 The secure website shall permit:

42 (i) An applicant who is not registered to submit a  
43 completed voter registration application; and



44                   (ii) An applicant who is registered to change his  
45 or her name, address or other information set forth in the  
46 elector's existing voter registration record.

47                   ( \* \* \*c) Upon the \* \* \* submission of a complete  
48 application through the secure website, the software used by the  
49 Secretary of State for processing applications through the website  
50 shall provide for verification that:

51                   (i) The \* \* \* applicant has a current and valid  
52 Mississippi driver's license or photo identification card issued  
53 by the Mississippi Department of Public Safety and the number for  
54 that driver's license or photo identification card provided by the  
55 applicant matches the number for the \* \* \* applicant's driver's  
56 license or photo identification card that is on file with the  
57 Mississippi Department of Public Safety;

58                   (ii) The name and date of birth provided by  
59 the \* \* \* applicant matches the name and date of birth that is on  
60 file with the Mississippi Department of Public Safety; and

61                   (iii) The applicant is a citizen of the State of  
62 Mississippi and of the United States and the information provided  
63 by the \* \* \* applicant matches the information on file with the  
64 Mississippi Department of Public Safety.

65                   The application shall be reviewed by the county registrar of  
66 the applicant's county of residence. If any of the required  
67 information does not match that on file with the Mississippi  
68 Department of Public Safety, or the application is incomplete,



69 the \* \* \* registration shall be rejected. To the extent possible,  
70 the registrar shall follow the procedure set forth in Section  
71 23-15-47 in the registration of electors by online application.

72 ( \* \* \* 4) Any person who attempts to \* \* \* register to vote  
73 under this section shall be subject to the penalties for false  
74 registration provided for in Section 97-13-25.

75 ( \* \* \* 5) The Secretary of State and the Department of  
76 Public Safety shall enter into a memorandum of understanding  
77 providing for the sharing of information required to facilitate  
78 the requirements of this section.

79 **SECTION 2.** Section 23-15-13, Mississippi Code of 1972, is  
80 amended as follows:

81 23-15-13. (1) An elector who moves from one (1) ward or  
82 voting precinct to another ward within the same municipality or  
83 voting precinct within the same county shall not be disqualified  
84 to vote, but he or she shall be entitled to have his or her  
85 registration transferred to his or her new ward or voting precinct  
86 upon making a written or online request therefor at any time up to  
87 thirty (30) days before the election at which he or she offers to  
88 vote, and if the removal occurs within thirty (30) days of such  
89 election he or she shall be entitled to vote in his or her new  
90 ward or voting precinct by affidavit ballot as provided in Section  
91 23-15-573. If the thirtieth day to transfer the elector's  
92 registration before an election falls on a Sunday or legal  
93 holiday, the transfer of the elector's registration submitted on



94 the business day immediately following the Sunday or legal holiday  
95 shall be accepted and entered into the Statewide Elections  
96 Management System for the purpose of enabling voters to vote in  
97 the next election.

98 (2) If an elector requests a change in his or her address  
99 under Section 23-15-49 and the address is located in a precinct in  
100 the county or municipality that differs from the precinct as  
101 reflected in the then current registration records, the request  
102 shall be treated in the same manner as a written request to  
103 transfer the elector's registration under subsection (1) of this  
104 section.

105 **SECTION 3.** Section 23-15-35, Mississippi Code of 1972, is  
106 amended as follows:

107 23-15-35. (1) The clerk of the municipality shall be the  
108 registrar of voters of the municipality, and shall take the oath  
109 of office prescribed by Section 268 of the Constitution. The  
110 municipal registration shall conform to the county registration  
111 which shall be a part of the official record of registered voters  
112 as contained in the Statewide Elections Management System. The  
113 municipal clerk shall comply with all the provisions of law  
114 regarding the registration of voters, including the use of the  
115 voter registration applications used by county registrars and  
116 prescribed by the Secretary of State under Sections 23-15-39 and  
117 23-15-47 and online voter registration prescribed in Section  
118 23-15-49.



119           (2) The municipal clerk shall be authorized to register  
120 applicants as county electors. The municipal clerk shall forward  
121 notice of registration, a copy of the application for  
122 registration, and any changes to the registration when they occur,  
123 either by certified mail to the county registrar or by personal  
124 delivery to the county registrar provided that a numbered receipt  
125 is signed by the county registrar in return for the described  
126 documents. Upon receipt of the copy of the application for  
127 registration or changes to the registration, and if a review of  
128 the application indicates that the applicant meets all the  
129 criteria necessary to qualify as a county elector, then the county  
130 registrar shall make a determination of the county voting precinct  
131 in which the person making the application shall be required to  
132 vote. The county registrar shall send this county voting precinct  
133 information by United States first-class mail, postage prepaid, to  
134 the person at the address provided on the application. Any  
135 mailing costs incurred by the municipal clerk or the county  
136 registrar in effectuating this subsection (2) shall be paid by the  
137 county board of supervisors. If a review of the copy of the  
138 application for registration or changes to the registration  
139 indicates that the applicant is not qualified to vote in the  
140 county, the county registrar shall challenge the application. The  
141 county election commissioners shall review any challenge or  
142 disqualification, after having notified the applicant by certified  
143 mail of the challenge or disqualification.



144 (3) The municipal clerk shall issue to the person making the  
145 application a copy of the application and the county registrar  
146 shall process the application in accordance with the law regarding  
147 the handling of voter registration applications.

148 (4) The receipt of a copy of the application for  
149 registration sent pursuant to Section 23-15-39(3) shall be  
150 sufficient to allow the applicant to be registered as an elector  
151 in the municipality, provided that such application is not  
152 challenged as provided for therein.

153 (5) The municipal clerk of each municipality shall provide  
154 the county registrar in which the municipality is located the  
155 information necessary to conform the municipal registration to the  
156 county registration which shall be a part of the official record  
157 of registered voters as contained in the Statewide Elections  
158 Management System. If any changes to the information occur as a  
159 result of redistricting, annexation or other reason, it shall be  
160 the responsibility of the municipal clerk to timely provide the  
161 changes to the county registrar.

162 **SECTION 4.** Section 23-15-37, Mississippi Code of 1972, is  
163 amended as follows:

164 23-15-37. (1) The registrar shall register the electors of  
165 his or her county at any time during regular office hours.

166 (2) The county registrar may keep his or her office open to  
167 register voters from 8:00 a.m. until 7:00 p.m., including the noon  
168 hour, for the five (5) business days immediately preceding the



169 thirtieth day before any regularly scheduled primary or general  
170 election. The county registrar shall also keep his or her office  
171 open from 8:00 a.m. until 12:00 noon on the Saturday immediately  
172 preceding the thirtieth day before any regularly scheduled primary  
173 or general election, unless that Saturday falls on a legal  
174 holiday, in which case registration applications submitted on the  
175 Monday immediately following the legal holiday shall be accepted  
176 and entered in the Statewide Elections Management System for the  
177 purpose of enabling such voters to vote in the next primary or  
178 general election.

179 (3) The registrar, or any deputy registrar duly appointed by  
180 law, may visit and spend such time as he or she may deem necessary  
181 at any location in his or her county, selected by the registrar  
182 not less than thirty (30) days before an election, for the purpose  
183 of registering voters.

184 (4) A person who is physically disabled and unable to visit  
185 the office of the registrar to register to vote due to such  
186 disability may contact the registrar and request that the  
187 registrar or the registrar's deputy visit him or her for the  
188 purpose of registering such person to vote. The registrar or the  
189 registrar's deputy shall visit that person as soon as possible  
190 after such request and provide the person with an application for  
191 registration, if necessary. The completed application for  
192 registration shall be executed in the presence of the registrar or  
193 the registrar's deputy.





194 (5) (a) In the fall and spring of each year the registrar  
195 of each county shall furnish all public schools with instructions  
196 for submitting an online voter registration application as well as  
197 with mail-in voter registration applications. The instructions  
198 and applications shall be provided in a reasonable time to enable  
199 those students who will be eighteen (18) years of age before a  
200 general election to be able to vote in the primary and general  
201 elections.

202 (b) Each public school district shall permit access to  
203 all public schools of this state for the county registrar or the  
204 county registrar's deputy to register persons who are eligible to  
205 vote and to provide voter education.

206 **SECTION 5.** Section 23-15-39, Mississippi Code of 1972, is  
207 amended as follows:

208 23-15-39. (1) Applications for registration as electors of  
209 this state, which are submitted online as provided in Section  
210 23-15-49 or sworn to and subscribed before the registrar or deputy  
211 registrar authorized by law and which are not made by mail, shall  
212 be made upon a form established by rule duly adopted by the  
213 Secretary of State.

214 (2) The boards of supervisors shall make proper allowances  
215 for office supplies reasonably necessitated by the registration of  
216 county electors.

217 (3) If the applicant indicates on the application that he or  
218 she resides within the city limits of a city or town in the county



219 of registration, the county registrar shall process the  
220 application for registration or changes to the registration as  
221 provided by law.

222 (4) If the applicant indicates on the application that he or  
223 she has previously registered to vote in another county of this  
224 state or another state, notice to the voter's previous county of  
225 registration in this state shall be provided by the Statewide  
226 Elections Management System. If the voter's previous place of  
227 registration was in another state, notice shall be provided to the  
228 voter's previous state of residence if the Statewide Elections  
229 Management System has that capability.

230 (5) The county registrar shall provide to the person making  
231 the application a copy of the application upon which has been  
232 written the county voting precinct and municipal voting precinct,  
233 if any, in which the person shall vote. Upon entry of the voter  
234 registration information into the Statewide Elections Management  
235 System, the system shall assign a voter registration number to the  
236 person, and the county registrar shall mail the applicant a voter  
237 registration card to the mailing address provided on the  
238 application.

239 (6) Any person desiring \* \* \* to apply for registration may  
240 apply through the online voter registration process established in  
241 Section 23-15-49 or may secure an application from the registrar  
242 of the county of which he or she is a resident and may take the  
243 application with him or her and secure assistance in completing



244 the application from any person of the applicant's choice. It  
245 shall be the duty of all registrars to furnish applications for  
246 registration to all persons requesting them, and it shall likewise  
247 be the registrar's duty to furnish aid and assistance in the  
248 completing of the application when requested by an applicant.  
249 Unless the application for registration is completed online, the  
250 application for registration shall be sworn to and subscribed  
251 before the registrar or deputy registrar at the municipal clerk's  
252 office, the county registrar's office or any other location where  
253 the applicant is allowed to register to vote. The registrar shall  
254 not charge a fee or cost to the applicant for accepting the  
255 application or administering the oath or for any other duty  
256 imposed by law regarding the registration of electors.

257 (7) If the person making the application is unable to read  
258 or write, for reason of disability or otherwise, he or she shall  
259 not be required to personally complete the application in writing  
260 and execute the oath. In such cases, the registrar or deputy  
261 registrar shall read the application and oath to the person and  
262 the person's answers thereto shall be recorded by the registrar or  
263 the registrar's deputy. The person shall be registered as an  
264 elector if he or she otherwise meets the requirements to be  
265 registered as an elector. The registrar shall record the  
266 responses of the person and the recorded responses shall be  
267 retained permanently by the registrar. The county registrar shall  
268 enter the voter registration information into the Statewide



269 Elections Management System and designate the entry as an assisted  
270 filing.

271 (8) The receipt of a copy of the application for  
272 registration sent pursuant to Section 23-15-35(2) shall be  
273 sufficient to allow the applicant to be registered as an elector  
274 of this state, if the application is not challenged.

275 (9) In any case in which the corporate boundaries of a  
276 municipality change, whether by annexation or redistricting, the  
277 municipal clerk shall, within ten (10) days after approval of the  
278 change in corporate boundaries, provide to the county registrar  
279 conforming geographic data that is compatible with the Statewide  
280 Elections Management System. The data shall be developed by the  
281 municipality's use of a standardized format specified by the  
282 Statewide Elections Management System. The county registrar,  
283 county election commissioner or other county official, who has  
284 completed an annual training seminar sponsored by the Secretary of  
285 State pertaining to the implementation of new boundary lines in  
286 the Statewide Elections Management System and received  
287 certification for that training, shall update the municipal  
288 boundary information into the Statewide Elections Management  
289 System. The Statewide Elections Management System updates the  
290 municipal voter registration records and assigns electors to their  
291 municipal voting precincts. The county registrar shall forward to  
292 the municipal clerk written notification of the additions and  
293 changes, and the municipal clerk shall forward to the affected



294 municipal electors written notification of the additions and  
295 changes.

296         **SECTION 6.** Section 23-15-41, Mississippi Code of 1972, is  
297 amended as follows:

298         23-15-41. (1) When an applicant to register to vote has  
299 completed the application form as prescribed by administrative  
300 rule or Section 23-15-49, the county registrar shall enter the  
301 applicant's information into the Statewide Elections Management  
302 System where the applicant's status will be marked as "ACTIVE,"  
303 "PENDING" or "REJECTED," and the applicant shall be entitled to  
304 register upon his or her request for registration made online as  
305 provided in Section 23-25-49 or in person to the registrar, or  
306 deputy registrar if a deputy registrar has been appointed. No  
307 person other than the registrar, or a deputy registrar, shall  
308 register any applicant.

309         (2) If an applicant is not qualified to register to vote,  
310 then the registrar shall enter the applicant's information into  
311 the Statewide Elections Management System and mark the applicant's  
312 status as "PENDING" or "REJECTED," with the specific reason or  
313 reasons for that status noted. The registrar shall notify the  
314 election commission of those applicants rejected.

315         **SECTION 7.** Section 23-15-79, Mississippi Code of 1972, is  
316 amended as follows:

317         23-15-79. (1) Unless the application for registration was  
318 made pursuant to Section 23-15-47 or Section 23-15-49, the date of



319 registration to vote shall be the date the application for  
320 registration to vote was initially received by the registrar or,  
321 if submitted by mail, the postmark date, regardless of the date on  
322 which the county election commission, circuit court or Supreme  
323 Court, as the case may be, makes its final determination allowing  
324 the registration.

325 (2) In the case of an application for registration that has  
326 been made pursuant to Section 23-15-47, the date of registration  
327 to vote shall be the date the complete and legible application  
328 form is received by the county registrar, or, if mailed, the  
329 postmark date of the complete and legible application.

330 (3) In the case of an application for registration which has  
331 been made pursuant to Section 23-15-49, the date of registration  
332 to vote shall be the date the completed application is submitted  
333 to the secure internet website established in Section 23-15-49.

334 **SECTION 8.** This act shall take effect and be in force from  
335 and after July 1, 2023.

