

By: Senator(s) Tate, Seymour

To: Elections;
Accountability, Efficiency,
Transparency

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2351

1 AN ACT TO CODIFY SECTION 23-15-615, MISSISSIPPI CODE OF 1972,
2 TO ALLOW THE SECRETARY OF STATE TO PERFORM RANDOM PROCEDURAL
3 AUDITS ON COUNTIES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** The following shall be codified as Section
6 23-15-615, Mississippi Code of 1972:

7 23-15-615. (1) The Secretary of State is authorized to
8 audit election procedures in the counties of this state. The
9 conduction of an audit shall not create excessive interference
10 with the general duties and responsibilities of the Secretary of
11 State.

12 (2) The Secretary of State shall prescribe rules and
13 regulations for random selection of any county for an election
14 audit. The Secretary of State shall randomly select the
15 precinct(s) to be audited in any county. No county or precinct
16 shall be selected for audit on the basis of race, geographical
17 location or voting trends. Further, no county will be selected
18 more than once in a four-year period of time.



19 (3) The Secretary of State shall not conduct an audit under
20 this section at any precinct where an election occurred and that
21 election is being challenged pursuant to Section 23-15-927,
22 23-15-951 or 23-15-955.

23 (4) (a) No later than one hundred twenty (120) days after
24 the election that the Secretary of State is auditing, the
25 Secretary of State shall compile a report of the audits conducted,
26 which shall be published on the official website of the Secretary
27 of State.

28 (b) If the Secretary of State determines that more time
29 is needed to complete an audit, the Secretary of State may make a
30 finding of the additional time needed, which shall not exceed one
31 hundred and fifty (150) days after the election, and post notice
32 to the website of the Secretary of State.

33 (5) The Secretary of State shall promulgate administrative
34 rules to carry out the provisions of this section.

35 **SECTION 2.** This act shall take effect and be in force from
36 and after July 1, 2023, and shall stand repealed on June 30, 2023.

