

By: Senator(s) Tate

To: Elections;
Accountability, Efficiency,
Transparency

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. The Secretary of State may, in order to fulfill the
12 requirements of this section, enter into agreements with
13 third-parties, under the supervision of the Secretary of State,
14 for the purposes of conducting election procedure audits, provided
15 that any third parties would be licensed by and in good standing
16 with the Mississippi Board of Public Accountancy.

17 (2) The Secretary of State shall prescribe rules and
18 regulations for random selection of any county for an election



19 audit. The Secretary of State shall randomly select the
20 precinct(s) to be audited in any county. No county or precinct
21 shall be selected for audit on the basis of race, geographical
22 location or voting trends. Further, no county will be selected
23 more than once in a four-year period of time.

24 (3) The Secretary of State shall not conduct an audit under
25 this section at any precinct where an election occurred and that
26 election is being challenged pursuant to section 23-15-927,
27 23-15-951 or 23-15-955.

28 (4) (a) No later than one hundred twenty (120) days after
29 the election that the Secretary of State is auditing, the
30 Secretary of State shall compile a report of the audits conducted,
31 which shall be published on the official website of the Secretary
32 of State.

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

38 (5) The Secretary of State shall promulgate administrative
39 rules to carry out the provisions of this subchapter.

40 **SECTION 2.** This act shall take effect and be in force from
41 and after July 1, 2023.

