

By: Senator(s) Tate, Seymour

To: Elections;  
Accountability, Efficiency,  
Transparency

SENATE BILL NO. 2351  
(As Passed the Senate)

1 AN ACT TO CREATE A NEW SECTION TO BE ADDED TO TITLE 23,  
2 CHAPTER 15, MISSISSIPPI CODE OF 1972, TO ALLOW THE ATTORNEY  
3 GENERAL'S OFFICE TO INVESTIGATE COMPLAINTS OF ELECTION FRAUD; TO  
4 PROVIDE PROCEDURES FOR WHICH THE ATTORNEY GENERAL SHOULD FOLLOW TO  
5 SHARE THE FINDINGS OF AN ELECTION FRAUD INVESTIGATION; AND FOR  
6 RELATED PURPOSES.

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

8 **SECTION 1.** (1) The Attorney General is authorized to  
9 investigate alleged election fraud in the counties of this state  
10 upon a verified complaint of a candidate whose name appears on the  
11 ballot of the election in question, or from an election official  
12 or circuit clerk of a county where the election in question took  
13 place. The conduction of an investigation shall not create  
14 excessive interference with the general duties and  
15 responsibilities of the Attorney General.

16 (2) Upon request by the Attorney General, the Secretary of  
17 State shall assist in any investigation of a complaint pursuant to  
18 subsection (1).

19 (3) The Attorney General shall not investigate a complaint  
20 under this section at any precinct where an election occurred and



21 that election is being challenged pursuant to Sections 23-15-927,  
22 23-15-951 or 23-15-955.

23 (4) The Attorney General shall provide reasoning in writing  
24 if their office determines that an investigation is not warranted,  
25 and said document shall be provided to the complainant, circuit  
26 clerk of the county in the complaint and the Secretary of State's  
27 office. The Attorney General shall give a written report at the  
28 completion of the investigation to the complainant, circuit clerk  
29 of the county in the complaint and the Secretary of State's office  
30 if criminal action is not pursued. If the Attorney General  
31 alleges that a criminal act has occurred, he or she shall turn  
32 their findings over to the district attorney of the district where  
33 the alleged criminal acts occurred, or prosecute through his or  
34 her authority pursuant to Section 7-5-1.

35 **SECTION 2.** Section 1 of this act shall be codified as a new  
36 section in Title 23, Chapter 15, Mississippi Code of 1972.

37 **SECTION 3.** This act shall take effect and be in force from  
38 and after July 1, 2023, and shall stand repealed on June 30, 2023.

