

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1310

BY: Committee

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

46 **SECTION 1.** The following shall be codified as Section
47 23-15-615, Mississippi Code of 1972:

48 23-15-615. The Secretary of State is authorized to audit
49 election procedures of the 2023 and 2024 General Elections in the
50 counties of this state. The conduction of an audit shall not
51 create excessive interference with the general duties and
52 responsibilities of the Secretary of State, county registrar, and
53 county election commission.

54 (a) The Secretary of State shall randomly select four
55 (4) counties from each of the congressional districts, and



56 randomly selected no more than twenty-five percent (25%) of the
57 total precincts or no more than five (5) precincts, whichever is
58 less. No county or precinct shall be selected for audit on the
59 basis of race, geographical location or voting trends.

60 (i) If the Secretary of State finds any issues
61 that could affect the outcome of an election or cause voters to be
62 disenfranchised, then the Secretary of State, in partnership with
63 the local county election officials, shall develop a plan to
64 correct those issues, which shall include additional training.

65 (ii) The Secretary of State will have the
66 discretion to randomly select the counties and precincts that will
67 be audited, but must do so at least ninety (90) days before the
68 election to be audited. No audit shall occur if the election is
69 challenged as provided in Section 23-15-927, 23-15-951 or
70 23-15-955. No audit shall occur until after a ballot box
71 examination has occurred and the period to contest an election has
72 expired, or if a runoff election occurs, the audit shall occur
73 after the runoff election.

74 (b) In conducting a procedural audit, the Secretary of
75 State shall audit the following:

76 (i) Procedures for testing of OMR equipment before
77 counting ballots, including the ballots used for testing of OMR
78 equipment, as required by Section 23-15-521;



79 (ii) Ballot accounting reports, seal logs, poll
80 books, and receipt books as required to be kept by Section
81 23-15-519;

82 (iii) Absentee ballots, absentee ballot
83 applications, and absentee ballot envelopes, along with the list
84 provided to the Resolution Board, to ensure appropriate processing
85 and counting of absentee ballots as required by Section 23-15-631
86 et seq; and

87 (iv) Affidavit ballots and affidavit ballot
88 envelopes, including affidavit ballot receipt book to ensure
89 compliance with appropriate processing and counting of affidavit
90 ballots as required by Section 23-15-573.

91 (c) The Secretary of State shall develop a
92 post-election audit manual which shall detail the policies and
93 procedures for conducting post-election audits. The post-election
94 audit manual shall not be altered less than ninety (90) days
95 before an election in which the post-election audit manual shall
96 be utilized in conducting a post-election audit.

97 (d) No later than one hundred twenty (120) days after
98 the election that the Secretary of State is auditing, the
99 Secretary of State shall compile a report of the procedural audits
100 conducted and shall submit the report to the Governor, Lieutenant
101 Governor, Speaker of the House of Representatives and Chairmen of
102 the Senate and House Election Committees. Prior to submitting the
103 report, the Secretary of State shall allow the local county



104 election officials to review the report and provide comments that
105 will be submitted along with the report.

106 **SECTION 2.** Section 23-15-613, Mississippi Code of 1972,
107 which provides that election commissions and county and municipal
108 executive committees shall report residual vote information to the
109 Secretary of State, is repealed.

110 **SECTION 3.** Section 23-15-153, Mississippi Code of 1972, is
111 amended as follows:

112 23-15-153. (1) At least during the following times, the
113 election commissioners shall meet at the office of the registrar
114 or the office of the election commissioners to carefully revise
115 the county voter roll as electronically maintained by the
116 Statewide Elections Management System and remove from the roll the
117 names of all voters who have requested to be purged from the voter
118 roll, died, received an adjudication of non compos mentis, been
119 convicted of a disenfranchising crime, failed to comply with the
120 provisions of Section 23-15-152, or otherwise become disqualified
121 as electors for any cause, and shall register the names of all
122 persons who have duly applied to be registered but have been
123 illegally denied registration:

124 (a) On the Tuesday after the second Monday in January
125 1987 and every following year;

126 (b) On the first Tuesday in the month immediately
127 preceding the first primary election for members of Congress in
128 the years when members of Congress are elected;



129 (c) On the first Monday in the month immediately
130 preceding the first primary election for state, state district
131 legislative, county and county district offices in the years in
132 which those offices are elected; and

133 (d) On the second Monday of September preceding the
134 general election or regular special election day in years in which
135 a general election is not conducted.

136 Except for the names of those voters who are duly qualified
137 to vote in the election, no name shall be permitted to remain in
138 the Statewide Elections Management System; however, no name shall
139 be purged from the Statewide Elections Management System based on
140 a change in the residence of an elector except in accordance with
141 procedures provided for by the National Voter Registration Act of
142 1993 and as provided in Section 23-15-152. Except as otherwise
143 provided by Section 23-15-573, no person shall vote at any
144 election whose name is not in the county voter roll electronically
145 maintained by the Statewide Elections Management System.

146 (2) Except as provided in this section, and subject to the
147 following annual limitations, the election commissioners shall be
148 entitled to receive a per diem in the amount of One Hundred Ten
149 Dollars (\$110.00), to be paid from the county general fund, for
150 every day or period of no less than five (5) hours accumulated
151 over two (2) or more days actually employed in the performance of
152 their duties in the conduct of an election or actually employed in
153 the performance of their duties for the necessary time spent in



154 the revision of the county voter roll as electronically maintained
155 by the Statewide Elections Management System as required in
156 subsection (1) of this section:

157 (a) In counties having less than fifteen thousand
158 (15,000) residents according to the latest federal decennial
159 census, not more than fifty (50) days per year, with no more than
160 fifteen (15) additional days allowed for the conduct of each
161 election in excess of one (1) occurring in any calendar year;

162 (b) In counties having fifteen thousand (15,000)
163 residents according to the latest federal decennial census but
164 less than thirty thousand (30,000) residents according to the
165 latest federal decennial census, not more than seventy-five (75)
166 days per year, with no more than twenty-five (25) additional days
167 allowed for the conduct of each election in excess of one (1)
168 occurring in any calendar year;

169 (c) In counties having thirty thousand (30,000)
170 residents according to the latest federal decennial census but
171 less than seventy thousand (70,000) residents according to the
172 latest federal decennial census, not more than one hundred (100)
173 days per year, with no more than thirty-five (35) additional days
174 allowed for the conduct of each election in excess of one (1)
175 occurring in any calendar year;

176 (d) In counties having seventy thousand (70,000)
177 residents according to the latest federal decennial census but
178 less than ninety thousand (90,000) residents according to the



179 latest federal decennial census, not more than one hundred
180 twenty-five (125) days per year, with no more than forty-five (45)
181 additional days allowed for the conduct of each election in excess
182 of one (1) occurring in any calendar year;

183 (e) In counties having ninety thousand (90,000)
184 residents according to the latest federal decennial census but
185 less than one hundred seventy thousand (170,000) residents
186 according to the latest federal decennial census, not more than
187 one hundred fifty (150) days per year, with no more than
188 fifty-five (55) additional days allowed for the conduct of each
189 election in excess of one (1) occurring in any calendar year;

190 (f) In counties having one hundred seventy thousand
191 (170,000) residents according to the latest federal decennial
192 census but less than two hundred thousand (200,000) residents
193 according to the latest federal decennial census, not more than
194 one hundred seventy-five (175) days per year, with no more than
195 sixty-five (65) additional days allowed for the conduct of each
196 election in excess of one (1) occurring in any calendar year;

197 (g) In counties having two hundred thousand (200,000)
198 residents according to the latest federal decennial census but
199 less than two hundred twenty-five thousand (225,000) residents
200 according to the latest federal decennial census, not more than
201 one hundred ninety (190) days per year, with no more than
202 seventy-five (75) additional days allowed for the conduct of each
203 election in excess of one (1) occurring in any calendar year;



204 (h) In counties having two hundred twenty-five thousand
205 (225,000) residents according to the latest federal decennial
206 census but less than two hundred fifty thousand (250,000)
207 residents according to the latest federal decennial census, not
208 more than two hundred fifteen (215) days per year, with no more
209 than eighty-five (85) additional days allowed for the conduct of
210 each election in excess of one (1) occurring in any calendar year;

211 (i) In counties having two hundred fifty thousand
212 (250,000) residents according to the latest federal decennial
213 census but less than two hundred seventy-five thousand (275,000)
214 residents according to the latest federal decennial census, not
215 more than two hundred thirty (230) days per year, with no more
216 than ninety-five (95) additional days allowed for the conduct of
217 each election in excess of one (1) occurring in any calendar year;

218 (j) In counties having two hundred seventy-five
219 thousand (275,000) residents according to the latest federal
220 decennial census or more, not more than two hundred forty (240)
221 days per year, with no more than one hundred five (105) additional
222 days allowed for the conduct of each election in excess of one (1)
223 occurring in any calendar year.

224 (3) In addition to the number of days authorized in
225 subsection (2) of this section, the board of supervisors of a
226 county may authorize, in its discretion, the election
227 commissioners to receive a per diem in the amount provided for in
228 subsection (2) of this section, to be paid from the county general



229 fund, for every day or period of no less than five (5) hours
230 accumulated over two (2) or more days actually employed in the
231 performance of their duties in the conduct of an election or
232 actually employed in the performance of their duties for the
233 necessary time spent in the revision of the county voter roll as
234 electronically maintained by the Statewide Elections Management
235 System as required in subsection (1) of this section, not to
236 exceed five (5) days.

237 (4) (a) The election commissioners shall be entitled to
238 receive a per diem in the amount of One Hundred Ten Dollars
239 (\$110.00), to be paid from the county general fund, not to exceed
240 ten (10) days for every day or period of no less than five (5)
241 hours accumulated over two (2) or more days actually employed in
242 the performance of their duties for the necessary time spent in
243 the revision of the county voter roll as electronically maintained
244 by the Statewide Elections Management System before any special
245 election. For purposes of this paragraph, the regular special
246 election day shall not be considered a special election. The
247 annual limitations set forth in subsection (2) of this section
248 shall not apply to this paragraph.

249 (b) The election commissioners shall be entitled to
250 receive a per diem in the amount of One Hundred Sixty-five Dollars
251 (\$165.00), to be paid from the county general fund, for the
252 performance of their duties on the day of any primary, runoff,



253 general or special election. The annual limitations set forth in
254 subsection (2) of this section shall apply to this paragraph.

255 * * *

256 (5) The election commissioners shall be entitled to receive
257 a per diem in the amount of One Hundred Ten Dollars (\$110.00), to
258 be paid from the county general fund, not to exceed fourteen (14)
259 days for every day or period of no less than five (5) hours
260 accumulated over two (2) or more days actually employed in the
261 performance of their duties for the necessary time spent in the
262 revision of the county voter roll as electronically maintained by
263 the Statewide Elections Management System and in the conduct of a
264 runoff election following either a general or special election.

265 (6) The election commissioners shall be entitled to receive
266 only one (1) per diem payment for those days when the election
267 commissioners discharge more than one (1) duty or responsibility
268 on the same day.

269 (7) The election commissioners shall be entitled to receive
270 a per diem in the amount of One Hundred Ten Dollars (\$110.00), to
271 be paid from the county general fund, not to exceed five (5) days
272 for every day or period of no less than five (5) hours accumulated
273 over two (2) or more days for those days when the election
274 commissioners shall be required to conduct an audit of an election
275 as provided in Section 23-15-615.

276 (* * *8) In preparation for a municipal primary, runoff,
277 general or special election, the county registrar shall generate



278 and distribute the master voter roll and pollbooks from the
279 Statewide Elections Management System for the municipality located
280 within the county. The municipality shall pay the county
281 registrar for the actual cost of preparing and printing the
282 municipal master voter roll pollbooks. A municipality may secure
283 "read only" access to the Statewide Elections Management System
284 and print its own pollbooks using this information.

285 (* * *9) County election commissioners who perform the
286 duties of an executive committee with regard to the conduct of a
287 primary election under a written agreement authorized by law to be
288 entered into with an executive committee shall receive per diem as
289 provided for in subsection (2) of this section. The days that
290 county election commissioners are employed in the conduct of a
291 primary election shall be treated the same as days county election
292 commissioners are employed in the conduct of other elections.

293 (* * *10) In addition to any per diem authorized by this
294 section, any election commissioner shall be entitled to the
295 mileage reimbursement rate allowable to federal employees for the
296 use of a privately owned vehicle while on official travel on
297 election day.

298 (* * *11) Every election commissioner shall sign personally
299 a certification setting forth the number of hours actually worked
300 in the performance of the commissioner's official duties and for
301 which the commissioner seeks compensation. The certification must
302 be on a form as prescribed in this subsection. The commissioner's



303 signature is, as a matter of law, made under the commissioner's
304 oath of office and under penalties of perjury.

305 The certification form shall be as follows:

306 **COUNTY ELECTION COMMISSIONER**

307 **PER DIEM CLAIM FORM**

308 NAME: _____ COUNTY: _____

309 ADDRESS: _____ DISTRICT: _____

310 CITY: _____ ZIP: _____

311		PURPOSE	APPLICABLE	ACTUAL	PER DIEM		
312	DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
313	WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED

314 _____
315 _____
316 _____

317 TOTAL NUMBER OF PER DIEM DAYS EARNED

318 EXCLUDING ELECTION DAYS _____

319 PER DIEM RATE PER DAY EARNED X \$110.00

320 TOTAL NUMBER PER DIEM DAYS EARNED

321 FOR ELECTION DAYS _____

322 PER DIEM RATE PER DAY EARNED X \$165.00

323 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

324 I understand that I am signing this document under my oath as
325 an election commissioner and under penalties of perjury.



326 I understand that I am requesting payment from taxpayer funds
327 and that I have an obligation to be specific and truthful as to
328 the amount of hours worked and the compensation I am requesting.

329 Signed this the _____ day of _____, ____.

330 _____

331 Commissioner's Signature

332 When properly completed and signed, the certification must be
333 filed with the clerk of the county board of supervisors before any
334 payment may be made. The certification will be a public record
335 available for inspection and reproduction immediately upon the
336 oral or written request of any person.

337 Any person may contest the accuracy of the certification in
338 any respect by notifying the chair of the commission, any member
339 of the board of supervisors or the clerk of the board of
340 supervisors of the contest at any time before or after payment is
341 made. If the contest is made before payment is made, no payment
342 shall be made as to the contested certificate until the contest is
343 finally disposed of. The person filing the contest shall be
344 entitled to a full hearing, and the clerk of the board of
345 supervisors shall issue subpoenas upon request of the contestor
346 compelling the attendance of witnesses and production of documents
347 and things. The contestor shall have the right to appeal de novo
348 to the circuit court of the involved county, which appeal must be
349 perfected within thirty (30) days from a final decision of the



350 commission, the clerk of the board of supervisors or the board of
351 supervisors, as the case may be.

352 Any contestor who successfully contests any certification
353 will be awarded all expenses incident to his or her contest,
354 together with reasonable attorney's fees, which will be awarded
355 upon petition to the chancery court of the involved county upon
356 final disposition of the contest before the election commission,
357 board of supervisors, clerk of the board of supervisors, or, in
358 case of an appeal, final disposition by the court. The
359 commissioner against whom the contest is decided shall be liable
360 for the payment of the expenses and attorney's fees, and the
361 county shall be jointly and severally liable for same.

362 (* * *12) Any election commissioner who has not received a
363 certificate issued by the Secretary of State pursuant to Section
364 23-15-211 indicating that the election commissioner has received
365 the required elections seminar instruction and that the election
366 commissioner is fully qualified to conduct an election, shall not
367 receive any compensation authorized by this section or Section
368 23-15-239.

369 **SECTION 4.** Section 23-15-5, Mississippi Code of 1972, is
370 brought forward as follows:

371 23-15-5. (1) There is created in the State Treasury a
372 special fund to be known as the Elections Support Fund. Monies
373 derived from annual report fees imposed upon limited liability
374 companies under Section 79-29-1203 shall be deposited into the



375 Elections Support Fund. Unexpended amounts remaining in the fund
376 at the end of the fiscal year shall not lapse into the State
377 General Fund, and any interest earned or investment earnings on
378 amounts in the fund shall be disbursed as provided in subsection
379 (2) of this section. The expenditure of monies in the fund shall
380 be under the direction of the Secretary of State as provided by
381 subsection (2) of this section, and such funds shall be paid by
382 the State Treasurer upon warrants issued by the Department of
383 Finance and Administration.

384 (2) (a) Monies in the fund shall be used as follows:

385 (i) Seventy percent (70%) of the monies in the
386 special fund shall be distributed annually to the counties, upon
387 appropriation of the Legislature, based on the proportion that the
388 population of a county bears to the total population in all
389 counties of the state population according to the most recent
390 information from the United States Census Bureau, and held in a
391 separate fund solely for the purpose of acquiring, upgrading,
392 maintaining or repairing voting equipment, systems and supplies,
393 hiring temporary technical support, conducting elections using
394 such voting equipment or systems, employing such personnel to
395 conduct an election, and training election officials; and

396 (ii) The remaining thirty percent (30%) of the
397 monies in the special fund shall be deposited in the State General
398 Fund.



399 (b) The Secretary of State shall create standard
400 training guidelines to assist counties in training election
401 officials with the funds authorized under subsection (2)(a)(ii) of
402 this section. Any criteria established by the Secretary of State
403 for the purposes of this section shall be used in addition to any
404 other training or coursework prescribed by the Secretary of State
405 to train circuit clerks, poll managers and any other election
406 officials participating in county elections.

407 (c) Notwithstanding any other provision of law, no
408 monies from the Elections Support Fund shall be used by the
409 Secretary of State or any person associated with the Office of the
410 Secretary of State to provide or otherwise support expert
411 testimony in any manner for any hearing, trial or election
412 contest.

413 (3) From and after July 1, 2017, none of the monies
414 deposited in the Elections Support Fund may be used to reimburse
415 or otherwise defray any costs that the Office of the Secretary of
416 State may incur in administering the fund.

417 (4) From and after July 1, 2016, no state agency shall
418 charge another state agency a fee, assessment, rent or other
419 charge for services or resources received by authority of this
420 section.

421 **SECTION 5.** The following shall be codified as Section
422 23-15-152, Mississippi Code of 1972:



423 23-15-152. (1) For the purposes of this section,
424 "confirmation notice" means a notice sent by the election
425 commissioners, by forwardable mail, with return postage prepaid,
426 on a form prescribed by the Secretary of State, to a registered
427 voter to confirm the registered voter's current address. The
428 notice shall comply with all applicable requirements of the
429 National Voter Registration Act of 1993.

430 (2) The election commissioners shall send a confirmation
431 notice to the following:

432 (a) A registered voter if it appears from the United
433 States Postal Service change-of-address information that the
434 registered voter has moved to a different residence;

435 (b) A registered voter if a county election
436 commissioner or county registrar has received notice from another
437 state, or political subdivision of another state, that the
438 registered voter has registered to vote in another state;

439 (c) A registered voter who has failed to vote at least
440 once in the previous two (2) years which must include two (2)
441 general federal elections; and

442 (d) A registered voter if the registrar or election
443 commissioners have received reliable information that he or she
444 has moved within or outside of the state. Reliable information
445 includes, but is not limited to: official mail returned as
446 undeliverable by the county election commission, registrar or
447 other county or municipal office, Secretary of State; application



448 for homestead exemption filed by the voter at an address other
449 than the address of current registration; or any information from
450 another state or county entity indicating the voter no longer
451 resides at the address of voter registration.

452 No registered voter shall be sent a confirmation notice under
453 paragraph (c) of this subsection if he or she has been sent a
454 confirmation notice for those same reasons within the last six (6)
455 years.

456 (3) The county election commissioners shall place any
457 registered voter who has been sent a confirmation notice on
458 inactive status in the Statewide Elections Management System. Any
459 registered voter who is placed on inactive status shall be unable
460 to cast a regular ballot on election day but shall be able to cast
461 an affidavit ballot as provided in Section 23-15-573.

462 (4) A registered voter "fails to respond to the confirmation
463 notice" if the voter, during a period of four (4) consecutive
464 years beginning from the date of the delivery of the confirmation
465 notice, fails to:

- 466 (a) Respond to the confirmation notice; or
- 467 (b) Update the elector's registration information.

468 The period of four (4) consecutive years beginning from the
469 date of the delivery of the confirmation notice required in
470 subsection (4) of this section shall include two (2) general
471 federal elections. A registered voter who votes at least once in
472 any election in the registered voter's county or municipality of



473 registration during the period of four (4) consecutive years
474 beginning from the date of the delivery of the confirmation notice
475 or who is active or reserve military or who serves on jury duty or
476 responds to a summons for jury duty shall not be purged from the
477 Statewide Elections Management System.

478 (5) The county registrar or county election commission shall
479 move those registered voters who fail to respond to the
480 confirmation notice as provided in subsection (4) and who fail to
481 vote as provided in subsection (4) of this section to purged
482 status in the Statewide Elections Management System.

483 (6) No systematic list maintenance shall occur during the
484 ninety (90) days immediately preceding a federal primary or
485 general election which is limited to moving a voter to inactive
486 status in subsection (2) of this section or purged status in
487 subsection (5) of this section.

488 (7) The county registrar shall retain purged voter
489 registration records after they are purged for a period that
490 includes at least two (2) federal general elections and shall
491 record the reason for the removal.

492 **SECTION 6.** Section 23-15-125, Mississippi Code of 1972, is
493 amended as follows:

494 23-15-125. The pollbook of each voting precinct shall
495 designate the voting precinct for which it is to be used, and
496 shall be ruled in appropriate columns, with printed or written
497 headings, as follows: date of registration; voter registration



498 number; name of electors; date of birth; and a number of blank
499 columns for the dates of elections. All qualified applicants who
500 register with the registrar shall be entered in the Statewide
501 Elections Management System. Only the names of those qualified
502 applicants who register within thirty (30) days before an election
503 shall appear on the pollbooks of the election; however, if the
504 thirtieth day to register before an election falls on a Sunday or
505 legal holiday, the registration applications submitted on the
506 business day immediately following the legal holiday shall be
507 accepted and entered in the Statewide Elections Management System
508 for the purpose of enabling voters to vote in the next election.
509 When county election commissioners determine that any elector is
510 disqualified from voting, by reason of death, conviction of a
511 disenfranchising crime, removal from the jurisdiction, failure to
512 comply with the provisions of Section 23-15-152, or other legal
513 cause, that fact shall be noted in the Statewide Elections
514 Management System and the voter's name shall be purged from the
515 Statewide Elections Management System, the state's voter roll and
516 the county's pollbooks. Nothing in this section shall preclude
517 the use of electronic pollbooks.

518 **SECTION 7.** Section 23-15-15, Mississippi Code of 1972, is
519 amended as follows:

520 23-15-15. (1) By January 1, 2025, the Secretary of State
521 shall compare the entire Statewide Elections Management System to
522 the Department of Public Safety Driver's License Database and



523 follow the procedures outlined in subsections (2) through (9) of
524 this section if a voter is flagged in the database as a potential
525 noncitizen.

526 (2) Upon receiving a completed voter registration
527 application, the registrar shall enter the applicant into the
528 Statewide Elections Management System. * * * The registration
529 application shall be compared with the Department of Public Safety
530 driver's license and identification information. If such
531 information indicates that a particular applicant is not a citizen
532 of the United States, the Statewide Elections Management System
533 shall notify the registrar, or his or her designee, that the
534 applicant may not be a citizen of the United States.

535 (* * *3) After receiving the notice from the Statewide
536 Elections Management System as provided in subsections (1) and (2)
537 of this section, the registrar, or his or her designee, shall:

538 (a) Enter the applicant's information into the United
539 States Citizenship and Immigration Service's Systematic Alien
540 Verification for Entitlements (SAVE) or its successor database for
541 further inquiry; and

542 (b) If both the Department of Public Safety driver's
543 license and identification information and the database in
544 paragraph (a) of this subsection indicate that the applicant is
545 not a citizen, send a notice by first-class mail to the
546 applicant's mailing address provided on the voter registration
547 application inquiring whether the individual is eligible to be



548 registered to vote. The registrar may, in addition to first-class
549 mail, contact the applicant by email or telephone.

550 (* * *4) Any applicant who receives the notice under
551 subsection (* * *3) (b) of this section shall, within thirty (30)
552 days of the receipt of such notice, provide proof of citizenship
553 to the registrar or his or her designee.

554 (* * *5) For purposes of this section, proof of citizenship
555 includes, but is not limited to:

556 (a) The applicant's birth certificate or a legible
557 photocopy of the birth certificate;

558 (b) A United States passport, or a legible photocopy of
559 the pertinent pages of the passport, identifying the applicant and
560 showing the passport number;

561 (c) The applicant's United States naturalization
562 documentation, a legible photocopy of the naturalization
563 documentation, or the number of the applicant's Certificate of
564 Naturalization; except that any person who provides the number of
565 the Certificate of Naturalization in lieu of the naturalization
566 documentation shall not be deemed to have provided proof of
567 citizenship until the number is verified with the United States
568 Citizenship and Immigration Services in the Department of Homeland
569 Security or its successor; or

570 (d) Any document or method of proof of citizenship
571 established by the Federal Immigration Reform and Control Act of
572 1986, Public Law 99-603, compiled in 8 USC Section 1101 et seq.



573 (* * *6) If the applicant provides proof of citizenship and
574 meets all other qualifications provided by law, the registrar
575 shall register the applicant to vote.

576 (* * *7) If the applicant does not reply to the notice or
577 provide proof of citizenship, the registrar of the county, or his
578 or her designee, where the person registered to vote shall mark
579 the applicant as "PENDING" in the Statewide Elections Management
580 System until the next federal general election:

581 (a) A voter in pending status may cast an affidavit
582 ballot. The affidavit ballot shall be considered if the voter
583 provides the required documentation under subsection (4) of this
584 section to the registrar within five (5) days of casting the
585 affidavit ballot.

586 (b) If the applicant fails to respond to the notice or
587 cast an affidavit ballot and provide the proof described in
588 subsection (4) of this section by the next federal general
589 election, the registrar shall mark the applicant as "REJECTED" in
590 the Statewide Election Management System.

591 (8) All documentation provided to show proof of citizenship
592 as well as the Department of Public Safety database or relevant
593 federal and state agency and county records shall be confidential
594 and shall not be subject to inspection, examination, copying or
595 reproduction under the Mississippi Public Records Act of 1983.

596 **SECTION 8.** Section 23-15-165, Mississippi Code of 1972, is
597 amended as follows:



598 23-15-165. (1) The Office of the Secretary of State, in
599 cooperation with the county registrars and election commissioners,
600 shall procure, implement and maintain an electronic information
601 processing system and programs capable of maintaining a
602 centralized database of all registered voters in the state. The
603 system shall encompass software and hardware, at both the state
604 and county level, software development training, conversion and
605 support and maintenance for the system. The Secretary of State
606 shall equip the Statewide Election Management System with
607 appropriate security measures to protect private information of
608 the registered voter and the integrity of Mississippi elections.
609 This system shall be known as the "Statewide Elections Management
610 System" and shall constitute the official record of registered
611 voters in every county of the state.

612 (2) The Office of the Secretary of State shall develop and
613 implement the Statewide Elections Management System so that the
614 registrar and election commissioners of each county shall:

615 (a) Verify that an applicant that is registering to
616 vote in that county is not registered to vote in another county;

617 (b) Be notified automatically that a registered voter
618 in its county has registered to vote in another county;

619 (c) Receive regular reports of death, changes of
620 address and convictions for disenfranchising crimes that apply to
621 voters registered in the county; * * *



622 (d) Retain all present functionality related to, but
623 not limited to, the use of voter roll data and to implement such
624 other functionality as the law requires to enhance the maintenance
625 of accurate county voter records and related jury selection and
626 redistricting programs * * *; and

627 (e) When evidence exists that a registered voter may
628 not be a citizen of the United States as provided in Section
629 23-15-15, send notification to the registrar of the location where
630 the person is registered to vote.

631 (3) As a part of the procurement and implementation of the
632 system, the Office of the Secretary of State shall, with the
633 assistance of the advisory committee, procure services necessary
634 to convert current voter registration records in the counties into
635 a standard, industry accepted file format that can be used on the
636 Statewide Elections Management System. Thereafter, all official
637 voter information shall be maintained on the Statewide Elections
638 Management System. The standard industry accepted format of data
639 was reviewed and approved by a majority of the advisory committee
640 created in subsection (5) of this section after consultation with
641 the Circuit Clerks Association and the format may not be changed
642 without consulting the Circuit Clerks Association.

643 (4) The Secretary of State may, with the assistance of the
644 advisory committee, adopt rules and regulations necessary to
645 administer the Statewide Elections Management System. The rules
646 and regulations shall at least:



647 (a) Provide for the establishment and maintenance of a
648 centralized database for all voter registration information in the
649 state;

650 (b) Provide procedures for integrating data into the
651 centralized database;

652 (c) Provide security to ensure that only the registrar,
653 or his or her designee or other appropriate official, as the law
654 may require, can add information to, delete information from and
655 modify information in the system;

656 (d) Provide the registrar or his or her designee or
657 other appropriate official, as the law may require, access to the
658 system at all times, including the ability to download copies of
659 the industry standard file, for all purposes related to their
660 official duties, including, but not limited to, exclusive access
661 for the purpose of printing all local pollbooks;

662 (e) Provide security and protection of all information
663 in the system and monitor the system to ensure that unauthorized
664 access is not allowed;

665 (f) Provide a procedure that will allow the registrar,
666 or his or her designee or other appropriate official, as the law
667 may require, to identify the precinct to which a voter should be
668 assigned; and

669 (g) Provide a procedure for phasing in or converting
670 existing manual and computerized voter registration systems in
671 counties to the Statewide Elections Management System.



672 (5) The Secretary of State established an advisory committee
673 to assist in developing system specifications, procurement,
674 implementation and maintenance of the Statewide Elections
675 Management System. The committee included two (2) representatives
676 from the Circuit Clerks Association, appointed by the association;
677 two (2) representatives from the Election Commissioners
678 Association of Mississippi, appointed by the association; one (1)
679 member of the Mississippi Association of Supervisors, or its
680 staff, appointed by the association; the Director of the Stennis
681 Institute of Government at Mississippi State University, or his or
682 her designee; the Executive Director of the Department of
683 Information Technology Services, or his or her designee; two (2)
684 persons knowledgeable about elections and information technology
685 appointed by the Secretary of State; and the Secretary of State,
686 who shall serve as the chair of the advisory committee.

687 (6) (a) Social security numbers, telephone numbers, email
688 addresses, and date of birth and age information in statewide,
689 district, county and municipal voter registration files shall be
690 exempt from and shall not be subject to inspection, examination,
691 copying or reproduction under the Mississippi Public Records Act
692 of 1983.

693 (b) Copies of statewide, district, county or municipal
694 voter registration files, excluding social security numbers,
695 telephone numbers, email addresses, and date of birth and age
696 information, shall be provided to any person in accordance with



697 the Mississippi Public Records Act of 1983 at a cost not to exceed
698 the actual cost of production.

699 **SECTION 9.** This act shall take effect and be in force from
700 and after January 1, 2024.

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

1 AN ACT TO CREATE NEW SECTION 23-15-615, MISSISSIPPI CODE OF
2 1972, TO AUTHORIZE THE SECRETARY OF STATE TO AUDIT ELECTION
3 PROCEDURES IN THE COUNTIES OF THE STATE; TO PROVIDE WHEN AN AUDIT
4 SHALL BE COMPLETED; TO REPEAL SECTION 23-15-613, MISSISSIPPI CODE
5 OF 1972, WHICH PROVIDES THAT ELECTION COMMISSIONS AND COUNTY AND
6 MUNICIPAL EXECUTIVE COMMITTEES SHALL REPORT RESIDUAL VOTE
7 INFORMATION TO THE SECRETARY OF STATE; TO PROVIDE WHEN A MANUAL
8 RECOUNT OF ELECTION RESULTS SHALL BE NECESSARY; TO PROVIDE WHEN
9 AND WHERE THE RESULTS OF A RISK-LIMITING AUDIT SHALL BE AVAILABLE;
10 TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
11 ELECTION COMMISSIONERS TO RECEIVE A PER DIEM OF \$110.00 FOR
12 CONDUCTING AN ELECTION RECOUNT; TO BRING FORWARD SECTION 23-15-5,
13 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT;
14 TO CREATE NEW SECTION 23-15-395, MISSISSIPPI CODE OF 1972, TO
15 AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES AND
16 REGULATIONS FOR THE REVIEW, CERTIFICATION AND DECERTIFICATION AND
17 IMPLEMENTATION OF ALL VOTING SYSTEMS; TO CREATE NEW SECTION
18 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTOR
19 WHO FAILS TO RESPOND TO A CONFIRMATION NOTICE AND WHO FAILS TO
20 VOTE DURING A CERTAIN PERIOD OF TIME SHALL BE REMOVED FROM THE
21 STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE DEFINITIONS FOR
22 "CONFIRMATION NOTICE" AND "FAILS TO RESPOND TO THE CONFIRMATION
23 NOTICE"; TO PROVIDE THOSE REGISTERED VOTERS WHO SHALL RECEIVE
24 CONFIRMATION NOTICES; TO PROVIDE THAT A REGISTERED VOTER WHO IS
25 MAILED A CONFIRMATION NOTICE SHALL BE PLACED ON INACTIVE STATUS IN
26 THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM BUT SHALL BE ABLE TO
27 VOTE BY AFFIDAVIT BALLOT; TO PROVIDE THE TIME FOR REMOVAL OF VOTER
28 REGISTRATION RECORDS; TO PROVIDE FOR THE RETENTION OF REMOVED
29 VOTER REGISTRATION RECORDS; TO AMEND SECTION 23-15-125,
30 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO
31 AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
32 IF AN ATTEMPTED VOTER DOES NOT PROVIDE PROOF OF CITIZENSHIP WITHIN
33 30 DAYS OF THE RECEIPT OF NOTIFICATION THAT THE VOTER HAS BEEN
34 FLAGGED AS A POTENTIAL NONCITIZEN, THE REGISTRAR, OR HIS OR HER
35 DESIGNEE, WHERE THE PERSON REGISTERED TO VOTE SHALL PURGE THE
36 VOTER FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE



37 AN APPEAL PROCESS FOR THE VOTER; TO AMEND SECTION 23-15-165,
38 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO
39 BRING FORWARD SECTION 23-15-603, MISSISSIPPI CODE OF 1972, FOR THE
40 PURPOSE OF POSSIBLE AMENDMENT; TO CREATE THE VETERANS
41 ENFRANCHISING ACT TO PROVIDE THAT A VETERAN WHO COMMITTED A
42 NONVIOLENT, DISENFRANCHISING CRIME SHALL HAVE HIS RIGHT TO VOTE
43 AUTOMATICALLY RESTORED ONCE HE HAS SATISFIED ALLOT THE SENTENCING
44 REQUIREMENTS; AND FOR RELATED PURPOSES.

