

By: Representative Scott

To: Judiciary B;  
Constitution

## HOUSE BILL NO. 965

1 AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS  
2 DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME;  
3 TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER  
4 COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE  
5 IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO AMEND  
6 SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND  
7 SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE  
8 REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT  
9 SYSTEM UNLESS THE PERSON IS SERVING A TERM OF INCARCERATION OR  
10 PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO  
11 PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES  
12 OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST  
13 INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151,  
14 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S  
15 ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF  
16 DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF  
17 THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS  
18 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
19 THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER  
20 CONSISTENT WITH THIS ACT; TO AMEND SECTION 23-15-47, MISSISSIPPI  
21 CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE SHALL ADOPT  
22 VOTER REGISTRATION APPLICATIONS THAT STATE THAT A PERSON RESTORED  
23 THE RIGHT OF SUFFRAGE UNDER THIS ACT SHALL NOT BE DISQUALIFIED  
24 FROM REGISTERING TO VOTE; TO AMEND SECTION 23-15-213, 23-15-223  
25 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
26 SECRETARY OF STATE SHALL DEVELOP AND IMPLEMENT TRAINING FOR  
27 ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS THAT SHALL  
28 INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS RESTORED THE  
29 RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION 23-15-165,  
30 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE  
31 SHALL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER  
32 THAT SHALL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A  
33 PERSON HAS A DISQUALIFYING CONVICTION; AND FOR RELATED PURPOSES.



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

35 **SECTION 1.** (1) The right of suffrage is hereby fully and  
36 completely restored to any person disqualified by reason of  
37 conviction for vote fraud or of any crime listed in Section 241,  
38 Mississippi Constitution of 1890, as follows:

39 (a) Upon the completion of the term of incarceration  
40 imposed by the sentencing court, including any period of time to  
41 be served on parole for such crime; or

42 (b) Immediately upon imposition of sentence by the  
43 sentencing court if sentenced solely to a term of probation for  
44 such crime.

45 (2) Any person enfranchised under subsection (1) of this  
46 section shall have the full right of suffrage restored as though  
47 an act had been passed by the Legislature in accordance with  
48 Section 253, Mississippi Constitution of 1890, restoring the right  
49 of suffrage to such person.

50 **SECTION 2.** Section 23-15-11, Mississippi Code of 1972, is  
51 amended as follows:

52 23-15-11. Every inhabitant of this state, except persons  
53 adjudicated to be non compos mentis, who is a citizen of the  
54 United States of America, eighteen (18) years old and upwards, who  
55 has resided in this state for thirty (30) days and for thirty (30)  
56 days in the county in which he or she seeks to vote, and for  
57 thirty (30) days in the incorporated municipality in which he or  
58 she seeks to vote, and who has been duly registered as an elector



59 under Section 23-15-33, and who \* \* \*, if convicted of vote fraud  
60 or of any crime listed in Section 241, Mississippi Constitution of  
61 1890, has been restored the right of suffrage as provided in  
62 Section 1 of this act, shall be a qualified elector in and for the  
63 county, municipality and voting precinct of his or her residence,  
64 and shall be entitled to vote at any election upon compliance with  
65 Section 23-15-563. If the thirtieth day to register before an  
66 election falls on a Sunday or legal holiday, the registration  
67 applications submitted on the business day immediately following  
68 the Sunday or legal holiday shall be accepted and entered in the  
69 Statewide Elections Management System for the purpose of enabling  
70 voters to vote in the next election. Any person who will be  
71 eighteen (18) years of age or older on or before the date of the  
72 general election and who is duly registered to vote not less than  
73 thirty (30) days before the primary election associated with the  
74 general election, may vote in the primary election even though the  
75 person has not reached his or her eighteenth birthday at the time  
76 that the person seeks to vote at the primary election. No others  
77 than those specified in this section shall be entitled, or shall  
78 be allowed, to vote at any election.

79 **SECTION 3.** Section 23-15-19, Mississippi Code of 1972, is  
80 amended as follows:

81 23-15-19. (1) Except as otherwise provided in subsection  
82 (2) of this section, any person who has been convicted of vote  
83 fraud or any crime listed in Section 241, Mississippi Constitution



84 of 1890, such crimes defined as "disenfranchising," shall not be  
85 registered \* \* \*. If registered, the name of the person convicted  
86 of a disenfranchising crime shall be removed from the Statewide  
87 Elections Management System by the registrar or the election  
88 commissioners of the county of his or her residence if at the time  
89 of removal, the person is serving a term of incarceration or  
90 parole for such crime. Except as otherwise provided in subsection  
91 (2) of this section, whenever any person shall be convicted in the  
92 circuit court of his or her county of a disenfranchising crime,  
93 the county registrar shall thereupon remove his or her name from  
94 the Statewide Elections Management System \* \* \*. Except as  
95 otherwise provided in subsection (2) of this section, whenever any  
96 person shall be convicted of a disenfranchising crime in any other  
97 court of any county, the presiding judge of the court shall, on  
98 demand, certify the \* \* \* conviction and sentence imposed in  
99 writing to the registrar of the county in which the voter resides,  
100 who shall thereupon remove the name of the person from the  
101 Statewide Elections Management System and retain the certificate  
102 as a record of his or her office.

103 (2) (a) No person shall be denied the right to register to  
104 vote based on his or her conviction of a disenfranchising crime in  
105 any of the following circumstances:

106 (i) After the completion of the term of  
107 incarceration imposed by the court, including any period of time  
108 to be served on parole for such crime; or



109                    (ii) After imposition of a sentence if the person  
110 was sentenced solely to a term of probation for such crime.

111                    (b) No person shall have his or her name removed from  
112 the Statewide Elections Management System by the registrar or the  
113 election commissioners upon or after the person's conviction of a  
114 disenfranchising crime if the sentence imposed by the court is  
115 solely a term of probation for such crime.

116                    (c) No person shall be required to furnish proof that  
117 he or she has been restored the right of suffrage as provided in  
118 Section 1 of this act in order to register to vote.

119                    **SECTION 4.** Section 23-15-151, Mississippi Code of 1972, is  
120 amended as follows:

121                    23-15-151. The circuit clerk of each county is authorized  
122 and directed to prepare and keep in his or her office a full and  
123 complete list, in alphabetical order, of persons convicted of  
124 voter fraud or of any crime listed in Section 241, Mississippi  
125 Constitution of 1890, and not restored the right of suffrage as  
126 provided in Section 1 of this act. A certified copy of any  
127 enrollment by one clerk to another will be sufficient authority  
128 for the enrollment of the name, or names, in another county. A  
129 list of persons convicted of voter fraud, any crime listed in  
130 Section 241, Mississippi Constitution of 1890, or any crime  
131 interpreted as disenfranchising in later Attorney General  
132 opinions, and not restored the right of suffrage as provided in  
133 Section 1 of this act, shall also be entered into the Statewide



134 Elections Management System on a quarterly basis. Except as  
135 provided in Section 1 of this act and Section 23-15-19, voters who  
136 have been convicted in a Mississippi state court of any  
137 disenfranchising crime are not qualified electors as defined by  
138 Section 23-15-11 and shall be purged or otherwise removed by the  
139 county registrar or county election commissioners from the  
140 Statewide Elections Management System.

141 **SECTION 5.** Section 23-15-125, Mississippi Code of 1972, is  
142 amended as follows:

143 23-15-125. The pollbook of each voting precinct shall  
144 designate the voting precinct for which it is to be used, and  
145 shall be ruled in appropriate columns, with printed or written  
146 headings, as follows: date of registration; voter registration  
147 number; name of electors; date of birth; and a number of blank  
148 columns for the dates of elections. All qualified applicants who  
149 register with the registrar shall be entered in the Statewide  
150 Elections Management System. Only the names of those qualified  
151 applicants who register within thirty (30) days before an election  
152 shall appear on the pollbooks of the election; however, if the  
153 thirtieth day to register before an election falls on a Sunday or  
154 legal holiday, the registration applications submitted on the  
155 business day immediately following the legal holiday shall be  
156 accepted and entered in the Statewide Elections Management System  
157 for the purpose of enabling voters to vote in the next election.  
158 When county election commissioners determine that any elector is



159 disqualified from voting, by reason of death, conviction of a  
160 disenfranchising crime if the right of suffrage has not been  
161 restored as provided in Section 1 of this act, removal from the  
162 jurisdiction, failure to comply with the provisions of Section  
163 23-15-152, or other legal cause, that fact shall be noted in the  
164 Statewide Elections Management System and the voter's name shall  
165 be purged from the Statewide Elections Management System, the  
166 state's voter roll and the county's pollbooks. Nothing in this  
167 section shall preclude the use of electronic pollbooks.

168       **SECTION 6.** Section 23-15-153, Mississippi Code of 1972, is  
169 amended as follows:

170       23-15-153. (1) At least during the following times, the  
171 election commissioners shall meet at the office of the registrar  
172 or the office of the election commissioners to carefully revise  
173 the county voter roll as electronically maintained by the  
174 Statewide Elections Management System and remove from the roll the  
175 names of all voters who have requested to be purged from the voter  
176 roll, died, received an adjudication of non compos mentis, been  
177 convicted of a disenfranchising crime if the right of suffrage has  
178 not been restored as provided in Section 1 of this act, failed to  
179 comply with the provisions of Section 23-15-152, or otherwise  
180 become disqualified as electors for any cause, and shall register  
181 the names of all persons who have duly applied to be registered  
182 but have been illegally denied registration:



183 (a) On the Tuesday after the second Monday in January  
184 1987 and every following year;

185 (b) On the first Tuesday in the month immediately  
186 preceding the first primary election for members of Congress in  
187 the years when members of Congress are elected;

188 (c) On the first Monday in the month immediately  
189 preceding the first primary election for state, state district  
190 legislative, county and county district offices in the years in  
191 which those offices are elected; and

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

195 Except for the names of those voters who are duly qualified  
196 to vote in the election, no name shall be permitted to remain in  
197 the Statewide Elections Management System; however, no name shall  
198 be purged from the Statewide Elections Management System based on  
199 a change in the residence of an elector except in accordance with  
200 procedures provided for by the National Voter Registration Act of  
201 1993 and as provided in Section 23-15-152. Except as otherwise  
202 provided by Section 23-15-573, no person shall vote at any  
203 election whose name is not in the county voter roll electronically  
204 maintained by the Statewide Elections Management System.

205 (2) Except as provided in this section, and subject to the  
206 following annual limitations, the election commissioners shall be  
207 entitled to receive a per diem in the amount of One Hundred Ten





208 Dollars (\$110.00), to be paid from the county general fund, for  
209 every day or period of no less than five (5) hours accumulated  
210 over two (2) or more days actually employed in the performance of  
211 their duties in the conduct of an election or actually employed in  
212 the performance of their duties for the necessary time spent in  
213 the revision of the county voter roll as electronically maintained  
214 by the Statewide Elections Management System as required in  
215 subsection (1) of this section:

216           (a) In counties having less than fifteen thousand  
217 (15,000) residents according to the latest federal decennial  
218 census, not more than fifty (50) days per year, with no more than  
219 fifteen (15) additional days allowed for the conduct of each  
220 election in excess of one (1) occurring in any calendar year;

221           (b) In counties having fifteen thousand (15,000)  
222 residents according to the latest federal decennial census but  
223 less than thirty thousand (30,000) residents according to the  
224 latest federal decennial census, not more than seventy-five (75)  
225 days per year, with no more than twenty-five (25) additional days  
226 allowed for the conduct of each election in excess of one (1)  
227 occurring in any calendar year;

228           (c) In counties having thirty thousand (30,000)  
229 residents according to the latest federal decennial census but  
230 less than seventy thousand (70,000) residents according to the  
231 latest federal decennial census, not more than one hundred (100)  
232 days per year, with no more than thirty-five (35) additional days



233 allowed for the conduct of each election in excess of one (1)  
234 occurring in any calendar year;

235 (d) In counties having seventy thousand (70,000)  
236 residents according to the latest federal decennial census but  
237 less than ninety thousand (90,000) residents according to the  
238 latest federal decennial census, not more than one hundred  
239 twenty-five (125) days per year, with no more than forty-five (45)  
240 additional days allowed for the conduct of each election in excess  
241 of one (1) occurring in any calendar year;

242 (e) In counties having ninety thousand (90,000)  
243 residents according to the latest federal decennial census but  
244 less than one hundred seventy thousand (170,000) residents  
245 according to the latest federal decennial census, not more than  
246 one hundred fifty (150) days per year, with no more than  
247 fifty-five (55) additional days allowed for the conduct of each  
248 election in excess of one (1) occurring in any calendar year;

249 (f) In counties having one hundred seventy thousand  
250 (170,000) residents according to the latest federal decennial  
251 census but less than two hundred thousand (200,000) residents  
252 according to the latest federal decennial census, not more than  
253 one hundred seventy-five (175) days per year, with no more than  
254 sixty-five (65) additional days allowed for the conduct of each  
255 election in excess of one (1) occurring in any calendar year;

256 (g) In counties having two hundred thousand (200,000)  
257 residents according to the latest federal decennial census but



258 less than two hundred twenty-five thousand (225,000) residents  
259 according to the latest federal decennial census, not more than  
260 one hundred ninety (190) days per year, with no more than  
261 seventy-five (75) additional days allowed for the conduct of each  
262 election in excess of one (1) occurring in any calendar year;

263 (h) In counties having two hundred twenty-five thousand  
264 (225,000) residents according to the latest federal decennial  
265 census but less than two hundred fifty thousand (250,000)  
266 residents according to the latest federal decennial census, not  
267 more than two hundred fifteen (215) days per year, with no more  
268 than eighty-five (85) additional days allowed for the conduct of  
269 each election in excess of one (1) occurring in any calendar year;

270 (i) In counties having two hundred fifty thousand  
271 (250,000) residents according to the latest federal decennial  
272 census but less than two hundred seventy-five thousand (275,000)  
273 residents according to the latest federal decennial census, not  
274 more than two hundred thirty (230) days per year, with no more  
275 than ninety-five (95) additional days allowed for the conduct of  
276 each election in excess of one (1) occurring in any calendar year;

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



283           (3) In addition to the number of days authorized in  
284 subsection (2) of this section, the board of supervisors of a  
285 county may authorize, in its discretion, the election  
286 commissioners to receive a per diem in the amount provided for in  
287 subsection (2) of this section, to be paid from the county general  
288 fund, for every day or period of no less than five (5) hours  
289 accumulated over two (2) or more days actually employed in the  
290 performance of their duties in the conduct of an election or  
291 actually employed in the performance of their duties for the  
292 necessary time spent in the revision of the county voter roll as  
293 electronically maintained by the Statewide Elections Management  
294 System as required in subsection (1) of this section, not to  
295 exceed five (5) days.

296           (4) (a) The election commissioners shall be entitled to  
297 receive a per diem in the amount of One Hundred Ten Dollars  
298 (\$110.00), to be paid from the county general fund, not to exceed  
299 ten (10) days for every day or period of no less than five (5)  
300 hours accumulated over two (2) or more days actually employed in  
301 the performance of their duties for the necessary time spent in  
302 the revision of the county voter roll as electronically maintained  
303 by the Statewide Elections Management System before any special  
304 election. For purposes of this paragraph, the regular special  
305 election day shall not be considered a special election. The  
306 annual limitations set forth in subsection (2) of this section  
307 shall not apply to this paragraph.



308 (b) The election commissioners shall be entitled to  
309 receive a per diem in the amount of One Hundred Sixty-five Dollars  
310 (\$165.00), to be paid from the county general fund, for the  
311 performance of their duties on the day of any primary, runoff,  
312 general or special election. The annual limitations set forth in  
313 subsection (2) of this section shall apply to this paragraph.

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

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

327 (7) The election commissioners shall be entitled to receive  
328 a per diem in the amount of One Hundred Ten Dollars (\$110.00), to  
329 be paid from the county general fund, not to exceed five (5) days  
330 for every day or period of no less than five (5) hours accumulated  
331 over two (2) or more days for those days when the election



332 commissioners shall be required to conduct an audit of an election  
333 as provided in Section 23-15-615.

334 (8) In preparation for a municipal primary, runoff, general  
335 or special election, the county registrar shall generate and  
336 distribute the master voter roll and pollbooks from the Statewide  
337 Elections Management System for the municipality located within  
338 the county. The municipality shall pay the county registrar for  
339 the actual cost of preparing and printing the municipal master  
340 voter roll pollbooks. A municipality may secure "read only"  
341 access to the Statewide Elections Management System and print its  
342 own pollbooks using this information.

343 (9) County election commissioners who perform the duties of  
344 an executive committee with regard to the conduct of a primary  
345 election under a written agreement authorized by law to be entered  
346 into with an executive committee shall receive per diem as  
347 provided for in subsection (2) of this section. The days that  
348 county election commissioners are employed in the conduct of a  
349 primary election shall be treated the same as days county election  
350 commissioners are employed in the conduct of other elections.

351 (10) In addition to any per diem authorized by this section,  
352 any election commissioner shall be entitled to the mileage  
353 reimbursement rate allowable to federal employees for the use of a  
354 privately owned vehicle while on official travel on election day.

355 (11) Every election commissioner shall sign personally a  
356 certification setting forth the number of hours actually worked in



357 the performance of the commissioner's official duties and for  
 358 which the commissioner seeks compensation. The certification must  
 359 be on a form as prescribed in this subsection. The commissioner's  
 360 signature is, as a matter of law, made under the commissioner's  
 361 oath of office and under penalties of perjury.

362 The certification form shall be as follows:

363 **COUNTY ELECTION COMMISSIONER**

364 **PER DIEM CLAIM FORM**

365 NAME: \_\_\_\_\_ COUNTY: \_\_\_\_\_

366 ADDRESS: \_\_\_\_\_ DISTRICT: \_\_\_\_\_

367 CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

368		PURPOSE	APPLICABLE	ACTUAL	PER DIEM
369	DATE	BEGINNING	ENDING	OF	MS CODE
370	WORKED	TIME	TIME	WORK	SECTION
371					
372					
373					
					HOURS
					DAYS
					WORKED
					EARNED

374 TOTAL NUMBER OF PER DIEM DAYS EARNED

375 EXCLUDING ELECTION DAYS \_\_\_\_\_

376 PER DIEM RATE PER DAY EARNED X \$110.00

377 TOTAL NUMBER PER DIEM DAYS EARNED

378 FOR ELECTION DAYS \_\_\_\_\_

379 PER DIEM RATE PER DAY EARNED X \$165.00

380 TOTAL AMOUNT OF PER DIEM CLAIMED \$ \_\_\_\_\_



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

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

386 Signed this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

387 \_\_\_\_\_  
388 Commissioner's Signature

389 When properly completed and signed, the certification must be  
390 filed with the clerk of the county board of supervisors before any  
391 payment may be made. The certification will be a public record  
392 available for inspection and reproduction immediately upon the  
393 oral or written request of any person.

394 Any person may contest the accuracy of the certification in  
395 any respect by notifying the chair of the commission, any member  
396 of the board of supervisors or the clerk of the board of  
397 supervisors of the contest at any time before or after payment is  
398 made. If the contest is made before payment is made, no payment  
399 shall be made as to the contested certificate until the contest is  
400 finally disposed of. The person filing the contest shall be  
401 entitled to a full hearing, and the clerk of the board of  
402 supervisors shall issue subpoenas upon request of the contestor  
403 compelling the attendance of witnesses and production of documents  
404 and things. The contestor shall have the right to appeal de novo  
405 to the circuit court of the involved county, which appeal must be





406 perfected within thirty (30) days from a final decision of the  
407 commission, the clerk of the board of supervisors or the board of  
408 supervisors, as the case may be.

409 Any contestor who successfully contests any certification  
410 will be awarded all expenses incident to his or her contest,  
411 together with reasonable attorney's fees, which will be awarded  
412 upon petition to the chancery court of the involved county upon  
413 final disposition of the contest before the election commission,  
414 board of supervisors, clerk of the board of supervisors, or, in  
415 case of an appeal, final disposition by the court. The  
416 commissioner against whom the contest is decided shall be liable  
417 for the payment of the expenses and attorney's fees, and the  
418 county shall be jointly and severally liable for same.

419 (12) Any election commissioner who has not received a  
420 certificate issued by the Secretary of State pursuant to Section  
421 23-15-211 indicating that the election commissioner has received  
422 the required elections seminar instruction and that the election  
423 commissioner is fully qualified to conduct an election, shall not  
424 receive any compensation authorized by this section or Section  
425 23-15-239.

426 **SECTION 7.** Section 23-15-47, Mississippi Code of 1972, is  
427 amended as follows:

428 23-15-47. (1) Any person who is qualified to register to  
429 vote in the State of Mississippi may register to vote by mail-in  
430 application in the manner prescribed in this section.



431           (2) The following procedure shall be used in the  
432 registration of electors by mail:

433           (a) Any qualified elector may register to vote by  
434 mailing or delivering a completed mail-in application to his or  
435 her county registrar at least thirty (30) days before any  
436 election; however, if the thirtieth day to register before an  
437 election falls on a Sunday or legal holiday, the registration  
438 applications submitted on the business day immediately following  
439 the Sunday or legal holiday shall be accepted and entered into the  
440 Statewide Elections Management System for the purpose of enabling  
441 voters to vote in the next election. The postmark date of a  
442 mailed application shall be the applicant's date of registration.

443           (b) Upon receipt of a mail-in application, the county  
444 registrar shall stamp the application with the date of receipt,  
445 and shall verify the application either by matching the  
446 applicant's Mississippi driver's license number through the  
447 Mississippi Department of Public Safety or by matching the  
448 applicant's social security number through the American  
449 Association of Motor Vehicle Administrators. Within fourteen (14)  
450 days of receipt of a mail-in registration application, the county  
451 registrar shall complete action on the application, including any  
452 attempts to notify the applicant of the status of his or her  
453 application.

454           (c) If the county registrar determines that the  
455 applicant is qualified and his or her application is legible and



456 complete, the county registrar shall mail the applicant written  
457 notification that the application has been approved, specifying  
458 the county voting precinct, municipal voting precinct, if any,  
459 polling place and supervisor district in which the person shall  
460 vote. This written notification of approval containing the  
461 specified information shall be the voter's registration card. The  
462 registration card shall be provided by the county registrar to the  
463 applicant in accordance with Section 23-15-39. Upon entry of the  
464 voter registration information into the Statewide Elections  
465 Management System, the system shall assign a voter registration  
466 number to the applicant. The assigned voter registration number  
467 shall be clearly shown on the written notification of approval.  
468 In mailing the written notification, the county registrar shall  
469 note the following on the envelope: "DO NOT FORWARD". If any  
470 registration notification form is returned as undeliverable, the  
471 voter's registration shall be void.

472 (d) A mail-in application shall be rejected for any of  
473 the following reasons:

474 (i) An incomplete portion of the application makes  
475 it impossible for the registrar to determine the eligibility of  
476 the applicant to register;

477 (ii) A portion of the application is illegible in  
478 the opinion of the county registrar and makes it impossible to  
479 determine the eligibility of the applicant to register;



480 (iii) The county registrar is unable to determine,  
481 from the address and information stated on the application, the  
482 precinct in which the voter should be assigned or the supervisor  
483 district in which he or she is entitled to vote;

484 (iv) The applicant is not qualified to register to  
485 vote pursuant to Section 23-15-11;

486 (v) The county registrar determines that the  
487 applicant is already registered as a qualified elector of the  
488 county;

489 (vi) The county registrar is unable to verify the  
490 application pursuant to subsection (2)(b) of this section.

491 (e) If the mail-in application of a person is subject  
492 to rejection for any of the reasons set forth in paragraph (d)(i)  
493 through (iii) of this subsection, and it appears to the county  
494 registrar that the defect or omission is of such a minor nature  
495 and that any necessary additional information may be supplied by  
496 the applicant over the telephone or by further correspondence, the  
497 county registrar may write or call the applicant at the telephone  
498 number or address, or both, provided on the application. If the  
499 county registrar is able to contact the applicant by mail or  
500 telephone, the county registrar shall attempt to ascertain the  
501 necessary information, and if this information is sufficient for  
502 the registrar to complete the application, the applicant shall be  
503 registered. If the necessary information cannot be obtained by  
504 mail or telephone, or is not sufficient to complete the



505 application within fourteen (14) days of receipt, the county  
506 registrar shall give the applicant written notice of the rejection  
507 and provide the reason for the rejection. The county registrar  
508 shall further inform the applicant that he or she has a right to  
509 attempt to register by appearing in person or by filing another  
510 mail-in application.

511 (f) If a mail-in application is subject to rejection  
512 for the reason stated in paragraph (d)(v) of this subsection and  
513 the "present home address" portion of the application is different  
514 from the residence address for the applicant found in the  
515 Statewide Elections Management System, the mail-in application  
516 shall be deemed a written request to update the voter's  
517 registration pursuant to Section 23-15-13. The county registrar  
518 or the election commissioners shall update the voter's residence  
519 address in the Statewide Elections Management System and, if  
520 necessary, advise the voter of a change in the location of his or  
521 her county or municipal polling place by mailing the voter a new  
522 voter registration card.

523 (3) The instructions and the application form for voter  
524 registration by mail shall be in a form established by rule duly  
525 adopted by the Secretary of State. The instructions and the  
526 application shall state that a person who has been restored the  
527 right of suffrage as provided in Section 1 of this act shall not  
528 be disqualified to register to vote pursuant to Section 23-15-11.



529           (4) (a) The Secretary of State shall prepare and furnish  
530 without charge the necessary forms for application for voter  
531 registration by mail to each county registrar, municipal clerk,  
532 all public schools, each private school that requests such  
533 applications, and all public libraries.

534           (b) The Secretary of State shall distribute without  
535 charge sufficient forms for application for voter registration by  
536 mail to the Commissioner of Public Safety, who shall distribute  
537 the forms to each driver's license examining and renewal station  
538 in the state, and shall ensure that the forms are regularly  
539 available to the public at such stations.

540           (c) Bulk quantities of forms for application for voter  
541 registration by mail shall be furnished by the Secretary of State  
542 to any person or organization. The Secretary of State shall  
543 charge a person or organization the actual cost he or she incurs  
544 in providing bulk quantities of forms for application for voter  
545 registration to such person or organization.

546           (5) The originals of completed mail-in applications shall  
547 remain on file in the office of the county registrar with copies  
548 retained in the Statewide Elections Management System.

549           (6) If the applicant indicates on the application that he or  
550 she resides within the city limits of a city or town in the county  
551 of registration, the county registrar shall enter the information  
552 into the Statewide Elections Management System.



553 (7) If the applicant indicates on the application that he or  
554 she has previously registered to vote in another county of this  
555 state or another state, notice to the voter's previous county of  
556 registration in this state shall be provided through the Statewide  
557 Elections Management System. If the voter's previous place of  
558 registration was in another state, notice shall be provided to the  
559 voter's previous state of residence.

560 (8) Any person who attempts to register to vote by mail  
561 shall be subject to the penalties for false registration provided  
562 for in Section 23-15-17.

563 **SECTION 8.** Section 23-15-213, Mississippi Code of 1972, is  
564 amended as follows:

565 23-15-213. (1) There shall be elected five (5) election  
566 commissioners for each county whose terms of office shall commence  
567 on the first Monday of January following their election and who  
568 shall serve for a term of four (4) years. Each of the  
569 commissioners shall be required to attend a training seminar  
570 provided by the Secretary of State and satisfactorily complete a  
571 skills assessment \* \* \*. The Secretary of State shall ensure that  
572 the training seminar includes instructions on the proper  
573 performance of their duties with regard to persons who are  
574 restored the right of suffrage as provided in Section 1 of this  
575 act. Before acting, each of the election commissioners shall take  
576 and subscribe the oath of office prescribed by the Constitution.  
577 The oath shall be filed in the office of the clerk of the chancery



578 court. Upon filing the oath of office, the election commissioner  
579 may be provided access to the Statewide Elections Management  
580 System for the purpose of performing his or her duties. Such  
581 skills assessment shall only be required once every four (4)  
582 years. While engaged in their duties, the commissioners shall be  
583 conservators of the peace in the county, with all the duties and  
584 powers of such.

585 (2) (a) At the general election in 2024 and every four (4)  
586 years thereafter, the qualified electors of the board of  
587 supervisors' Districts One, Three and Five shall elect in their  
588 district one (1) election commissioner.

589 (b) At the general election in 2023 and every four (4)  
590 years thereafter, the qualified electors of the board of  
591 supervisors' Districts Two and Four shall elect in their district  
592 one (1) election commissioner.

593 (c) No more than one (1) commissioner shall be a  
594 resident of and reside in each supervisor's district of the  
595 county; it being the purpose of this section that the county board  
596 of election commissioners shall consist of one (1) person from  
597 each supervisor's district of the county and that each  
598 commissioner be elected from the supervisor's district in which he  
599 or she resides.

600 (3) Candidates for county election commissioner shall  
601 qualify by filing with the clerk of the board of supervisors of  
602 their respective counties a petition personally signed by not less





603 than fifty (50) qualified electors of the supervisor's district in  
604 which they reside, requesting that they be a candidate, by 5:00  
605 p.m. not later than February 1 of the year in which the election  
606 occurs and unless the petition is filed within the required time,  
607 their names shall not be placed upon the ballot. All candidates  
608 shall declare in writing their party affiliation, if any, to the  
609 board of supervisors, and such party affiliation shall be shown on  
610 the official ballot.

611 (4) The petition shall have attached thereto a certificate  
612 of the county registrar showing the number of qualified electors  
613 on each petition, which shall be furnished by the registrar on  
614 request. The board shall determine the sufficiency of the  
615 petition, and if the petition contains the required number of  
616 signatures and is filed within the time required, the president of  
617 the board shall verify that the candidate is a resident of the  
618 supervisor's district in which he or she seeks election and that  
619 the candidate is otherwise qualified as provided by law, and shall  
620 certify that the candidate is qualified to the chair or secretary  
621 of the county election commission and the names of the candidates  
622 shall be placed upon the ballot for the ensuing election. No  
623 county election commissioner shall serve or be considered as  
624 elected until he or she has received a majority of the votes cast  
625 for the position or post for which he or she is a candidate. If a  
626 majority vote is not received in the first election, then the two  
627 (2) candidates receiving the most votes for each position or post



628 shall be placed upon the ballot for a second election to be held  
629 three (3) weeks later in accordance with appropriate procedures  
630 followed in other elections involving runoff candidates.

631 (5) In the first meeting in January of each year, the county  
632 election commissioners shall organize by electing a chair and a  
633 secretary, who shall serve a one-year term. The county election  
634 commissioners shall provide the names of the chair and secretary  
635 to the Secretary of State and provide notice of any change in  
636 officers which may occur during the year.

637 (6) It shall be the duty of the chair to have the official  
638 ballot printed and distributed at each general or special  
639 election.

640 **SECTION 9.** Section 23-15-223, Mississippi Code of 1972, is  
641 amended as follows:

642 23-15-223. (1) The State Board of Election Commissioners,  
643 on or before the fifteenth day of February succeeding each general  
644 election, shall appoint in the several counties registrars of  
645 elections, who shall hold office for four (4) years and until  
646 their successors shall be duly qualified. The county registrar  
647 shall be the clerk of the circuit court, unless the State Board of  
648 Election Commissioners finds the circuit clerk to be an improper  
649 person to register the names of the electors in the county. The  
650 State Board of Election Commissioners shall draft rules and  
651 regulations to provide for notice and hearing before removal of



652 the circuit clerk, if notice and a hearing is practicable under  
653 the circumstances.

654 (2) The county registrar is empowered to appoint deputy  
655 registrars, with the consent of the board of election  
656 commissioners, who may discharge the duties of the registrar.

657 The clerk of every municipality shall be appointed as such a  
658 deputy registrar, as contemplated by the National Voter  
659 Registration Act (NVRA).

660 (3) The county registrar shall not be held liable for any  
661 malfeasance or nonfeasance in office by any deputy registrar who  
662 is a deputy registrar by virtue of his or her office.

663 (4) (a) The Secretary of State, in conjunction with the  
664 State Board of Community and Junior Colleges, has developed and  
665 made available online a computer skills training course for all  
666 newly appointed registrars that shall be completed within one  
667 hundred eighty (180) days of the commencement of their term of  
668 office.

669 (b) By August 1, 2024, the Secretary of State shall  
670 develop and make available online a training course for all  
671 registrars that shall be completed by them on an annual basis.  
672 The training seminar shall include instructions to registrars on  
673 the proper performance of their duties with regard to persons who  
674 are restored the right of suffrage as provided in Section 1 of  
675 this act.



676           **SECTION 10.** Section 23-15-239, Mississippi Code of 1972, is  
677 amended as follows:

678           23-15-239. (1) The executive committee of each county, in  
679 the case of a primary election, or the election commissioners of  
680 each county, in the case of all other elections, in conjunction  
681 with the circuit clerk, shall, in the years in which counties  
682 conduct an election, sponsor and conduct, not less than five (5)  
683 days before each election, not less than four (4) hours and not  
684 more than eight (8) hours of poll manager training to instruct  
685 poll managers as to their duties in the proper administration of  
686 the election \* \* \*, the operation of the polling place, and the  
687 poll managers' duties with regard to persons who are restored the  
688 right of suffrage as provided in Section 1 of this act. Any poll  
689 manager who completes the online training course provided by the  
690 Secretary of State shall only be required to complete two (2)  
691 hours of in-person poll manager training. No poll manager shall  
692 serve in any election unless he or she has received these  
693 instructions once during the twelve (12) months immediately  
694 preceding the date upon which the election is held; however,  
695 nothing in this section shall prevent the appointment of an  
696 alternate poll manager to fill a vacancy in case of an emergency.  
697 The county executive committee or the election commissioners, as  
698 appropriate, shall train a sufficient number of alternates to  
699 serve in the event a poll manager is unable to serve for any  
700 reason.



701           (2) (a) If it is eligible under Section 23-15-266, the  
702 county executive committee may enter into a written agreement with  
703 the circuit clerk or the county election commission authorizing  
704 the circuit clerk or the county election commission to perform any  
705 of the duties required of the county executive committee pursuant  
706 to this section. Any agreement entered into pursuant to this  
707 subsection shall be signed by the chair of the county executive  
708 committee and the circuit clerk or the chair of the county  
709 election commission, as appropriate. The county executive  
710 committee shall notify the state executive committee and the  
711 Secretary of State of the existence of the agreement.

712           (b) If it is eligible under Section 23-15-266, the  
713 municipal executive committee may enter into a written agreement  
714 with the municipal clerk or the municipal election commission  
715 authorizing the municipal clerk or the municipal election  
716 commission to perform any of the duties required of the municipal  
717 executive committee pursuant to this section. Any agreement  
718 entered into pursuant to this subsection shall be signed by the  
719 chair of the municipal executive committee and the municipal clerk  
720 or the chair of the municipal election commission, as appropriate.  
721 The municipal executive committee shall notify the state executive  
722 committee and the Secretary of State of the existence of the  
723 agreement.

724           (3) The board of supervisors and the municipal governing  
725 authority, in their discretion, may compensate poll managers who



726 attend these training sessions. The compensation shall be at a  
727 rate of not less than the federal hourly minimum wage and not more  
728 than Twenty Dollars (\$20.00) per hour. Poll managers shall not be  
729 compensated for more than sixteen (16) hours of attendance at the  
730 training sessions regardless of the actual amount of time that  
731 they attended the training sessions.

732 (4) The time and location of the training sessions required  
733 pursuant to this section shall be announced to the general public  
734 by posting a notice thereof at the courthouse and by delivering a  
735 copy of the notice to the office of a newspaper having general  
736 circulation in the county five (5) days before the date upon which  
737 the training session is to be conducted. Persons who will serve  
738 as poll watchers for candidates and political parties, as well as  
739 members of the general public, shall be allowed to attend the  
740 sessions.

741 (5) Subject to the following annual limitations, the  
742 election commissioners shall be entitled to receive a per diem in  
743 the amount of One Hundred Ten Dollars (\$110.00), to be paid from  
744 the county general fund, for every day or period of no less than  
745 five (5) hours accumulated over two (2) or more days actually  
746 employed in the performance of their duties for the necessary time  
747 spent in conducting training sessions as required by this section:

748 (a) In counties having less than fifteen thousand  
749 (15,000) residents according to the latest federal decennial  
750 census, not more than five (5) days per year;



751           (b) In counties having fifteen thousand (15,000)  
752 residents according to the latest federal decennial census but  
753 less than thirty thousand (30,000) residents according to the  
754 latest federal decennial census, not more than eight (8) days per  
755 year;

756           (c) In counties having thirty thousand (30,000)  
757 residents according to the latest federal decennial census but  
758 less than seventy thousand (70,000) residents according to the  
759 latest federal decennial census, not more than ten (10) days per  
760 year;

761           (d) In counties having seventy thousand (70,000)  
762 residents according to the latest federal decennial census but  
763 less than ninety thousand (90,000) residents according to the  
764 latest federal decennial census, not more than twelve (12) days  
765 per year;

766           (e) In counties having ninety thousand (90,000)  
767 residents according to the latest federal decennial census but  
768 less than one hundred seventy thousand (170,000) residents  
769 according to the latest federal decennial census, not more than  
770 fifteen (15) days per year;

771           (f) In counties having one hundred seventy thousand  
772 (170,000) residents according to the latest federal decennial  
773 census but less than two hundred thousand (200,000) residents  
774 according to the latest federal decennial census, not more than  
775 eighteen (18) days per year;



776 (g) In counties having two hundred thousand (200,000)  
777 residents according to the latest federal decennial census but  
778 less than two hundred twenty-five thousand (225,000) residents  
779 according to the latest federal decennial census, not more than  
780 nineteen (19) days per year;

781 (h) In counties having two hundred twenty-five thousand  
782 (225,000) residents or more according to the latest federal  
783 decennial census, not more than twenty-two (22) days per year.

784 (6) Election commissioners shall claim the per diem  
785 authorized in subsection (5) of this section in the manner  
786 provided for in Section 23-15-153(6).

787 (7) (a) To provide poll manager training, the Secretary of  
788 State \* \* \* shall develop a single, comprehensive poll manager  
789 training program to ensure uniform, secure elections throughout  
790 the state. The program \* \* \* shall include online training on all  
791 state and federal election laws and procedures \* \* \*, voting  
792 machine opening and closing procedures, and the poll managers'  
793 duties with regard to persons who are restored the right of  
794 suffrage as provided in Section 1 of this act.

795 (b) County poll managers who individually access and  
796 complete the online training program, including all skills  
797 assessments, at least five (5) days before an election shall be  
798 defined as "certified poll managers," and entitled to a  
799 "Certificate of Completion."





800 (c) At least one (1) certified poll manager shall be  
801 appointed by the county election officials to work in each polling  
802 place in the county during each general election.

803 **SECTION 11.** Section 23-15-165, Mississippi Code of 1972, is  
804 amended as follows:

805 23-15-165. (1) The Office of the Secretary of State, in  
806 cooperation with the county registrars and election commissioners,  
807 shall procure, implement and maintain an electronic information  
808 processing system and programs capable of maintaining a  
809 centralized database of all registered voters in the state. The  
810 system shall encompass software and hardware, at both the state  
811 and county level, software development training, conversion and  
812 support and maintenance for the system. The Secretary of State  
813 shall equip the Statewide Elections Management System with  
814 appropriate security measures to protect private information of  
815 the registered voter and the integrity of Mississippi elections.  
816 This system shall be known as the "Statewide Elections Management  
817 System" and shall constitute the official record of registered  
818 voters in every county of the state.

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

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



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

826 (c) Receive regular reports of death \* \* \* and changes  
827 of address \* \* \* that apply to voters registered in the county;

828 (d) Retain all present functionality related to, but  
829 not limited to, the use of voter roll data and to implement such  
830 other functionality as the law requires to enhance the maintenance  
831 of accurate county voter records and related jury selection and  
832 redistricting programs; \* \* \*

833 (e) When evidence exists that a registered voter may  
834 not be a citizen of the United States as provided in Section  
835 23-15-15, send notification to the registrar of the location where  
836 the person is registered to vote \* \* \*; and

837 (f) Receive regular reports on the names of persons  
838 convicted of disenfranchising crimes in the county. The reports  
839 shall:

840 (i) Be derived from accurate and updated sources  
841 including, but not limited to, the online database maintained by  
842 the Department of Corrections and the Parole Board; and

843 (ii) Indicate whether the sentencing court imposed  
844 a term of incarceration or probation upon conviction of such  
845 crime.

846 (3) As a part of the procurement and implementation of the  
847 system, the Office of the Secretary of State shall, with the  
848 assistance of the advisory committee, procure services necessary



849 to convert current voter registration records in the counties into  
850 a standard, industry accepted file format that can be used on the  
851 Statewide Elections Management System. Thereafter, all official  
852 voter information shall be maintained on the Statewide Elections  
853 Management System. The standard industry accepted format of data  
854 was reviewed and approved by a majority of the advisory committee  
855 created in subsection (5) of this section after consultation with  
856 the Circuit Clerks Association and the format may not be changed  
857 without consulting the Circuit Clerks Association.

858 (4) The Secretary of State may, with the assistance of the  
859 advisory committee, adopt rules and regulations necessary to  
860 administer the Statewide Elections Management System. The rules  
861 and regulations shall at least:

862 (a) Provide for the establishment and maintenance of a  
863 centralized database for all voter registration information in the  
864 state;

865 (b) Provide procedures for integrating data into the  
866 centralized database;

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

871 (d) Provide the registrar or his or her designee or  
872 other appropriate official, as the law may require, access to the  
873 system at all times, including the ability to download copies of



874 the industry standard file, for all purposes related to their  
875 official duties, including, but not limited to, exclusive access  
876 for the purpose of printing all local pollbooks;

877 (e) Provide security and protection of all information  
878 in the system and monitor the system to ensure that unauthorized  
879 access is not allowed;

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

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

887 (5) The Secretary of State established an advisory committee  
888 to assist in developing system specifications, procurement,  
889 implementation and maintenance of the Statewide Elections  
890 Management System. The committee included two (2) representatives  
891 from the Circuit Clerks Association, appointed by the association;  
892 two (2) representatives from the Election Commissioners  
893 Association of Mississippi, appointed by the association; one (1)  
894 member of the Mississippi Association of Supervisors, or its  
895 staff, appointed by the association; the Director of the Stennis  
896 Institute of Government at Mississippi State University, or his or  
897 her designee; the Executive Director of the Department of  
898 Information Technology Services, or his or her designee; two (2)



899 persons knowledgeable about elections and information technology  
900 appointed by the Secretary of State; and the Secretary of State,  
901 who shall serve as the chair of the advisory committee.

902       (6) (a) Social security numbers, telephone numbers, email  
903 addresses, and date of birth and age information in statewide,  
904 district, county and municipal voter registration files shall be  
905 exempt from and shall not be subject to inspection, examination,  
906 copying or reproduction under the Mississippi Public Records Act  
907 of 1983.

908       (b) Copies of statewide, district, county or municipal  
909 voter registration files, excluding social security numbers,  
910 telephone numbers, email addresses, and date of birth and age  
911 information, shall be provided to any person in accordance with  
912 the Mississippi Public Records Act of 1983 at a cost not to exceed  
913 the actual cost of production.

914       **SECTION 12.** This act shall take effect and be in force from  
915 and after its passage.

