

By: Representatives James-Jones, Johnson,
Paden, Nelson, Bell (65th), Clark, Foster,
Holloway (27th), Scott

To: Judiciary B;
Constitution

HOUSE BILL NO. 1245

1 AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT A PERSON WHO IS OTHERWISE A QUALIFIED ELECTOR AND
 3 HAS BEEN CONVICTED OF VOTE FRAUD, OF ANY CRIME LISTED IN SECTION
 4 241, MISSISSIPPI CONSTITUTION OF 1890, OR OF ANY CRIME INTERPRETED
 5 AS DISENFRANCHISING IN LATER ATTORNEY GENERAL OPINIONS, SHALL HAVE
 6 HIS OR HER RIGHT TO VOTE SUSPENDED UPON CONVICTION BUT SHALL HAVE
 7 HIS OR HER RIGHT TO VOTE AUTOMATICALLY RESTORED ONCE HE OR SHE HAS
 8 SATISFIED ALL OF THE SENTENCING REQUIREMENTS OF THE CONVICTION; TO
 9 AMEND SECTIONS 23-15-19, 23-15-125, 23-15-151, 23-15-153 AND
 10 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING
 11 SECTION; TO BRING FORWARD SECTIONS 97-39-3 AND 99-19-37,
 12 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT;
 13 TO AMEND SECTION 13-5-1 AND 13-5-8, MISSISSIPPI CODE OF 1972, TO
 14 PROVIDE THAT ANY PERSON WHO HAS BEEN EXCLUDED FROM THE MASTER LIST
 15 FOR JURY SERVICE BECAUSE HE OR SHE IS OTHERWISE A QUALIFIED
 16 ELECTOR BUT HAS BEEN CONVICTED OF VOTE FRAUD, OF ANY CRIME LISTED
 17 IN SECTION 241, MISSISSIPPI CONSTITUTION OF 1890, OR OF ANY CRIME
 18 INTERPRETED AS DISENFRANCHISING IN LATER ATTORNEY GENERAL
 19 OPINIONS, SHALL HAVE HIS OR HER NAME REINSTATED TO THE MASTER LIST
 20 AUTOMATICALLY ONCE HE OR SHE HAS SATISFIED ALL OF THE SENTENCING
 21 REQUIREMENTS OF THE CONVICTION; TO BRING FORWARD SECTION 13-5-4,
 22 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT;
 23 AND FOR RELATED PURPOSES.

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

25 **SECTION 1.** Section 23-15-11, Mississippi Code of 1972, is
 26 amended as follows:

27 23-15-11. (1) Every inhabitant of this state, except
 28 persons adjudicated to be non compos mentis, shall be a qualified



29 elector in and for the county, municipality and voting precinct of
30 his or her residence and shall be entitled to vote at any election
31 upon compliance with Section 23-15-563, if he or she:

32 (a) * * * Is a citizen of the United States of
33 America * * *;

34 (b) Is eighteen (18) years old and upwards * * *;

35 (c) * * * Has resided in this state for thirty (30)
36 days and for thirty (30) days in the county in which he or she
37 seeks to vote, and for thirty (30) days in the incorporated
38 municipality in which he or she seeks to vote * * *;

39 (d) * * * Has been duly registered as an elector under
40 Section 23-15-33; and

41 (e) * * * Has never been convicted of vote fraud or of
42 any crime listed in Section 241, Mississippi Constitution of
43 1890 * * *.

44 If the thirtieth day to register before an election falls on
45 a Sunday or legal holiday, the registration applications submitted
46 on the business day immediately following the Sunday or legal
47 holiday shall be accepted and entered in the Statewide Elections
48 Management System for the purpose of enabling voters to vote in
49 the next election.

50 (2) A person who is otherwise a qualified elector under the
51 provisions of subsection (1) and has been convicted of vote fraud,
52 of any crime listed in Section 241, Mississippi Constitution of
53 1890, or of any crime interpreted as disenfranchising in later



54 Attorney General opinions, shall have his or her right to vote
55 suspended upon conviction but shall have his or her right to vote
56 automatically restored once he or she has satisfied all of the
57 sentencing requirements of the conviction.

58 (3) Any person who will be eighteen (18) years of age or
59 older on or before the date of the general election and who is
60 duly registered to vote not less than thirty (30) days before the
61 primary election associated with the general election, may vote in
62 the primary election even though the person has not reached his or
63 her eighteenth birthday at the time that the person seeks to vote
64 at the primary election.

65 (4) No others than those specified in this section shall be
66 entitled, or shall be allowed, to vote at any election.

67 **SECTION 2.** Section 23-15-19, Mississippi Code of 1972, is
68 amended as follows:

69 23-15-19. Any person who has been convicted of vote
70 fraud * * *, any crime listed in Section 241, Mississippi
71 Constitution of 1890, or of any crime interpreted as
72 disenfranchising in later Attorney General opinions, such crimes
73 defined as "disenfranchising," shall * * * have his or her right
74 to vote suspended upon conviction but shall have his or her right
75 to vote automatically restored once he or she has satisfied all of
76 the sentencing requirements of the conviction. Whenever any
77 person shall be convicted in the circuit court of his or her
78 county of a disenfranchising crime, the county registrar shall



79 thereupon remove his or her name from the Statewide Elections
80 Management System * * * until he or she has satisfied all of the
81 sentencing requirements of the conviction. Whenever any person
82 shall be convicted of a disenfranchising crime in any other court
83 of any county, the presiding judge of the court shall, on demand,
84 certify the fact in writing to the registrar of the county in
85 which the voter resides, who shall * * * remove the name of the
86 person from the Statewide Elections Management System and retain
87 the certificate as a record of his or her office until he or she
88 has satisfied all of the sentencing requirements of the
89 conviction.

90 **SECTION 3.** Section 23-15-125, Mississippi Code of 1972, is
91 amended as follows:

92 23-15-125. The pollbook of each voting precinct shall
93 designate the voting precinct for which it is to be used, and
94 shall be ruled in appropriate columns, with printed or written
95 headings, as follows: date of registration; voter registration
96 number; name of electors; date of birth; and a number of blank
97 columns for the dates of elections. All qualified applicants who
98 register with the registrar shall be entered in the Statewide
99 Elections Management System. Only the names of those qualified
100 applicants who register within thirty (30) days before an election
101 shall appear on the pollbooks of the election; however, if the
102 thirtieth day to register before an election falls on a Sunday or
103 legal holiday, the registration applications submitted on the



104 business day immediately following the legal holiday shall be
105 accepted and entered in the Statewide Elections Management System
106 for the purpose of enabling voters to vote in the next election.
107 When county election commissioners determine that any elector is
108 disqualified from voting, by reason of death, conviction of a
109 disenfranchising crime, removal from the jurisdiction, failure to
110 comply with the provisions of Section 23-15-152, or other legal
111 cause, that fact shall be noted in the Statewide Elections
112 Management System and the voter's name shall be purged from the
113 Statewide Elections Management System, the state's voter roll and
114 the county's pollbooks. Nothing in this section shall preclude
115 the use of electronic pollbooks. A person who is otherwise a
116 qualified elector under the provisions of Section 23-15-11 and has
117 been convicted of vote fraud, of any crime listed in Section 241,
118 Mississippi Constitution of 1890, or of any crime interpreted as
119 disenfranchising in later Attorney General opinions, shall have
120 his or her right to vote suspended upon conviction but shall have
121 his or her right to vote automatically restored once he or she has
122 satisfied all of the sentencing requirements of the conviction.
123 Once the person has satisfied all of the sentencing requirements,
124 the voter's name shall be automatically restored into the
125 Statewide Elections Management System, the state's voter roll and
126 the county's pollbooks.

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



129 23-15-151. The circuit clerk of each county is authorized
130 and directed to prepare and keep in his or her office a full and
131 complete list, in alphabetical order, of persons convicted of
132 voter fraud * * *, of any crime listed in Section 241, Mississippi
133 Constitution of 1890 or of any crime interpreted as
134 disenfranchising in later Attorney General opinions. A certified
135 copy of any enrollment by one clerk to another will be sufficient
136 authority for the enrollment of the name, or names, in another
137 county. A list of persons convicted of voter fraud, any crime
138 listed in Section 241, Mississippi Constitution of 1890, or any
139 crime interpreted as disenfranchising in later Attorney General
140 opinions, shall also be entered into the Statewide Elections
141 Management System on a quarterly basis. * * * A person who is
142 otherwise a qualified elector under the provisions of Section
143 23-15-11 and has been convicted of vote fraud, of any crime listed
144 in Section 241, Mississippi Constitution of 1890, or of any crime
145 interpreted as disenfranchising in later Attorney General
146 opinions, shall have his or her right to vote suspended upon
147 conviction but shall have his or her right to vote automatically
148 restored once he or she has satisfied all of the sentencing
149 requirements of the conviction. Once the person has satisfied all
150 of the sentencing requirements, the voter's name shall be
151 automatically restored into the Statewide Elections Management
152 System, the state's voter roll and the county's pollbooks.



153 **SECTION 5.** Section 23-15-153, Mississippi Code of 1972, is
154 amended as follows:

155 23-15-153. (1) At least during the following times, the
156 election commissioners shall meet at the office of the registrar
157 or the office of the election commissioners to carefully revise
158 the county voter roll as electronically maintained by the
159 Statewide Elections Management System and remove from the roll the
160 names of all voters who have requested to be purged from the voter
161 roll, died, received an adjudication of non compos mentis, been
162 convicted of a disenfranchising crime and had his or her right to
163 vote suspended, failed to comply with the provisions of Section
164 23-15-152, or otherwise become disqualified as electors for any
165 cause, and shall register the names of all persons who have duly
166 applied to be registered but have been illegally denied
167 registration:

168 (a) On the Tuesday after the second Monday in January
169 1987 and every following year;

170 (b) On the first Tuesday in the month immediately
171 preceding the first primary election for members of Congress in
172 the years when members of Congress are elected;

173 (c) On the first Monday in the month immediately
174 preceding the first primary election for state, state district
175 legislative, county and county district offices in the years in
176 which those offices are elected; and



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

180 Except for the names of those voters who are duly qualified
181 to vote in the election, no name shall be permitted to remain in
182 the Statewide Elections Management System; however, no name shall
183 be purged from the Statewide Elections Management System based on
184 a change in the residence of an elector except in accordance with
185 procedures provided for by the National Voter Registration Act of
186 1993 and as provided in Section 23-15-152. Except as otherwise
187 provided by Section 23-15-573, no person shall vote at any
188 election whose name is not in the county voter roll electronically
189 maintained by the Statewide Elections Management System.

190 (2) Except as provided in this section, and subject to the
191 following annual limitations, the election commissioners shall be
192 entitled to receive a per diem in the amount of One Hundred Ten
193 Dollars (\$110.00), to be paid from the county general fund, for
194 every day or period of no less than five (5) hours accumulated
195 over two (2) or more days actually employed in the performance of
196 their duties in the conduct of an election or actually employed in
197 the performance of their duties for the necessary time spent in
198 the revision of the county voter roll as electronically maintained
199 by the Statewide Elections Management System as required in
200 subsection (1) of this section:



201 (a) In counties having less than fifteen thousand
202 (15,000) residents according to the latest federal decennial
203 census, not more than fifty (50) days per year, with no more than
204 fifteen (15) additional days allowed for the conduct of each
205 election in excess of one (1) occurring in any calendar year;

206 (b) In counties having fifteen thousand (15,000)
207 residents according to the latest federal decennial census but
208 less than thirty thousand (30,000) residents according to the
209 latest federal decennial census, not more than seventy-five (75)
210 days per year, with no more than twenty-five (25) additional days
211 allowed for the conduct of each election in excess of one (1)
212 occurring in any calendar year;

213 (c) In counties having thirty thousand (30,000)
214 residents according to the latest federal decennial census but
215 less than seventy thousand (70,000) residents according to the
216 latest federal decennial census, not more than one hundred (100)
217 days per year, with no more than thirty-five (35) additional days
218 allowed for the conduct of each election in excess of one (1)
219 occurring in any calendar year;

220 (d) In counties having seventy thousand (70,000)
221 residents according to the latest federal decennial census but
222 less than ninety thousand (90,000) residents according to the
223 latest federal decennial census, not more than one hundred
224 twenty-five (125) days per year, with no more than forty-five (45)



225 additional days allowed for the conduct of each election in excess
226 of one (1) occurring in any calendar year;

227 (e) In counties having ninety thousand (90,000)
228 residents according to the latest federal decennial census but
229 less than one hundred seventy thousand (170,000) residents
230 according to the latest federal decennial census, not more than
231 one hundred fifty (150) days per year, with no more than
232 fifty-five (55) additional days allowed for the conduct of each
233 election in excess of one (1) occurring in any calendar year;

234 (f) In counties having one hundred seventy thousand
235 (170,000) residents according to the latest federal decennial
236 census but less than two hundred thousand (200,000) residents
237 according to the latest federal decennial census, not more than
238 one hundred seventy-five (175) days per year, with no more than
239 sixty-five (65) additional days allowed for the conduct of each
240 election in excess of one (1) occurring in any calendar year;

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

248 (h) In counties having two hundred twenty-five thousand
249 (225,000) residents according to the latest federal decennial



250 census but less than two hundred fifty thousand (250,000)
251 residents according to the latest federal decennial census, not
252 more than two hundred fifteen (215) days per year, with no more
253 than eighty-five (85) additional days allowed for the conduct of
254 each election in excess of one (1) occurring in any calendar year;

255 (i) In counties having two hundred fifty thousand
256 (250,000) residents according to the latest federal decennial
257 census but less than two hundred seventy-five thousand (275,000)
258 residents according to the latest federal decennial census, not
259 more than two hundred thirty (230) days per year, with no more
260 than ninety-five (95) additional days allowed for the conduct of
261 each election in excess of one (1) occurring in any calendar year;

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

268 (3) In addition to the number of days authorized in
269 subsection (2) of this section, the board of supervisors of a
270 county may authorize, in its discretion, the election
271 commissioners to receive a per diem in the amount provided for in
272 subsection (2) of this section, to be paid from the county general
273 fund, for every day or period of no less than five (5) hours
274 accumulated over two (2) or more days actually employed in the



275 performance of their duties in the conduct of an election or
276 actually employed in the performance of their duties for the
277 necessary time spent in the revision of the county voter roll as
278 electronically maintained by the Statewide Elections Management
279 System as required in subsection (1) of this section, not to
280 exceed five (5) days.

281 (4) (a) The election commissioners shall be entitled to
282 receive a per diem in the amount of One Hundred Ten Dollars
283 (\$110.00), to be paid from the county general fund, not to exceed
284 ten (10) days for every day or period of no less than five (5)
285 hours accumulated over two (2) or more days actually employed in
286 the performance of their duties for the necessary time spent in
287 the revision of the county voter roll as electronically maintained
288 by the Statewide Elections Management System before any special
289 election. For purposes of this paragraph, the regular special
290 election day shall not be considered a special election. The
291 annual limitations set forth in subsection (2) of this section
292 shall not apply to this paragraph.

293 (b) The election commissioners shall be entitled to
294 receive a per diem in the amount of One Hundred Sixty-five Dollars
295 (\$165.00), to be paid from the county general fund, for the
296 performance of their duties on the day of any primary, runoff,
297 general or special election. The annual limitations set forth in
298 subsection (2) of this section shall apply to this paragraph.



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

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

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

319 (8) In preparation for a municipal primary, runoff, general
320 or special election, the county registrar shall generate and
321 distribute the master voter roll and pollbooks from the Statewide
322 Elections Management System for the municipality located within
323 the county. The municipality shall pay the county registrar for



324 the actual cost of preparing and printing the municipal master
325 voter roll pollbooks. A municipality may secure "read only"
326 access to the Statewide Elections Management System and print its
327 own pollbooks using this information.

328 (9) County election commissioners who perform the duties of
329 an executive committee with regard to the conduct of a primary
330 election under a written agreement authorized by law to be entered
331 into with an executive committee shall receive per diem as
332 provided for in subsection (2) of this section. The days that
333 county election commissioners are employed in the conduct of a
334 primary election shall be treated the same as days county election
335 commissioners are employed in the conduct of other elections.

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

340 (11) Every election commissioner shall sign personally a
341 certification setting forth the number of hours actually worked in
342 the performance of the commissioner's official duties and for
343 which the commissioner seeks compensation. The certification must
344 be on a form as prescribed in this subsection. The commissioner's
345 signature is, as a matter of law, made under the commissioner's
346 oath of office and under penalties of perjury.

347 The certification form shall be as follows:

348 **COUNTY ELECTION COMMISSIONER**



349

PER DIEM CLAIM FORM

350 NAME: _____ COUNTY: _____

351 ADDRESS: _____ DISTRICT: _____

352 CITY: _____ ZIP: _____

353				PURPOSE	APPLICABLE	ACTUAL	PER DIEM
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354	DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
-----	------	-----------	--------	----	---------	-------	------

355	WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED
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356 _____

357 _____

358 _____

359 TOTAL NUMBER OF PER DIEM DAYS EARNED

360 EXCLUDING ELECTION DAYS _____

361 PER DIEM RATE PER DAY EARNED X \$110.00

362 TOTAL NUMBER PER DIEM DAYS EARNED

363 FOR ELECTION DAYS _____

364 PER DIEM RATE PER DAY EARNED X \$165.00

365 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

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

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

371 Signed this the _____ day of _____, ____.

372 _____

373 Commissioner's Signature



374 When properly completed and signed, the certification must be
375 filed with the clerk of the county board of supervisors before any
376 payment may be made. The certification will be a public record
377 available for inspection and reproduction immediately upon the
378 oral or written request of any person.

379 Any person may contest the accuracy of the certification in
380 any respect by notifying the chair of the commission, any member
381 of the board of supervisors or the clerk of the board of
382 supervisors of the contest at any time before or after payment is
383 made. If the contest is made before payment is made, no payment
384 shall be made as to the contested certificate until the contest is
385 finally disposed of. The person filing the contest shall be
386 entitled to a full hearing, and the clerk of the board of
387 supervisors shall issue subpoenas upon request of the contestor
388 compelling the attendance of witnesses and production of documents
389 and things. The contestor shall have the right to appeal de novo
390 to the circuit court of the involved county, which appeal must be
391 perfected within thirty (30) days from a final decision of the
392 commission, the clerk of the board of supervisors or the board of
393 supervisors, as the case may be.

394 Any contestor who successfully contests any certification
395 will be awarded all expenses incident to his or her contest,
396 together with reasonable attorney's fees, which will be awarded
397 upon petition to the chancery court of the involved county upon
398 final disposition of the contest before the election commission,



399 board of supervisors, clerk of the board of supervisors, or, in
400 case of an appeal, final disposition by the court. The
401 commissioner against whom the contest is decided shall be liable
402 for the payment of the expenses and attorney's fees, and the
403 county shall be jointly and severally liable for same.

404 (12) Any election commissioner who has not received a
405 certificate issued by the Secretary of State pursuant to Section
406 23-15-211 indicating that the election commissioner has received
407 the required elections seminar instruction and that the election
408 commissioner is fully qualified to conduct an election, shall not
409 receive any compensation authorized by this section or Section
410 23-15-239.

411 **SECTION 6.** Section 23-15-165, Mississippi Code of 1972, is
412 amended as follows:

413 23-15-165. (1) The Office of the Secretary of State, in
414 cooperation with the county registrars and election commissioners,
415 shall procure, implement and maintain an electronic information
416 processing system and programs capable of maintaining a
417 centralized database of all registered voters in the state. The
418 system shall encompass software and hardware, at both the state
419 and county level, software development training, conversion and
420 support and maintenance for the system. The Secretary of State
421 shall equip the Statewide Elections Management System with
422 appropriate security measures to protect private information of
423 the registered voter and the integrity of Mississippi elections.



424 This system shall be known as the "Statewide Elections Management
425 System" and shall constitute the official record of registered
426 voters in every county of the state.

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

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

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

434 (c) Receive regular reports of death, changes of
435 address and convictions for disenfranchising crimes, which cause a
436 voter to have his or her right to vote suspended, that apply to
437 voters registered in the county;

438 (d) Receive regular reports of voters who have
439 satisfied all of the sentencing requirements of his or her
440 conviction and automatically restore the voter's name into the
441 Statewide Elections Management System, the state's voter roll and
442 the county's pollbooks;

443 (* * *e) Retain all present functionality related to,
444 but not limited to, the use of voter roll data and to implement
445 such other functionality as the law requires to enhance the
446 maintenance of accurate county voter records and related jury
447 selection and redistricting programs; and



448 (* * *f) When evidence exists that a registered voter
449 may not be a citizen of the United States as provided in Section
450 23-15-15, send notification to the registrar of the location where
451 the person is registered to vote.

452 (3) As a part of the procurement and implementation of the
453 system, the Office of the Secretary of State shall, with the
454 assistance of the advisory committee, procure services necessary
455 to convert current voter registration records in the counties into
456 a standard, industry accepted file format that can be used on the
457 Statewide Elections Management System. Thereafter, all official
458 voter information shall be maintained on the Statewide Elections
459 Management System. The standard industry accepted format of data
460 was reviewed and approved by a majority of the advisory committee
461 created in subsection (5) of this section after consultation with
462 the Circuit Clerks Association and the format may not be changed
463 without consulting the Circuit Clerks Association.

464 (4) The Secretary of State may, with the assistance of the
465 advisory committee, adopt rules and regulations necessary to
466 administer the Statewide Elections Management System. The rules
467 and regulations shall at least:

468 (a) Provide for the establishment and maintenance of a
469 centralized database for all voter registration information in the
470 state;

471 (b) Provide procedures for integrating data into the
472 centralized database;



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

477 (d) Provide the registrar or his or her designee or
478 other appropriate official, as the law may require, access to the
479 system at all times, including the ability to download copies of
480 the industry standard file, for all purposes related to their
481 official duties, including, but not limited to, exclusive access
482 for the purpose of printing all local pollbooks;

483 (e) Provide security and protection of all information
484 in the system and monitor the system to ensure that unauthorized
485 access is not allowed;

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

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

493 (5) The Secretary of State established an advisory committee
494 to assist in developing system specifications, procurement,
495 implementation and maintenance of the Statewide Elections
496 Management System. The committee included two (2) representatives
497 from the Circuit Clerks Association, appointed by the association;



498 two (2) representatives from the Election Commissioners
499 Association of Mississippi, appointed by the association; one (1)
500 member of the Mississippi Association of Supervisors, or its
501 staff, appointed by the association; the Director of the Stennis
502 Institute of Government at Mississippi State University, or his or
503 her designee; the Executive Director of the Department of
504 Information Technology Services, or his or her designee; two (2)
505 persons knowledgeable about elections and information technology
506 appointed by the Secretary of State; and the Secretary of State,
507 who shall serve as the chair of the advisory committee.

508 (6) (a) Social security numbers, telephone numbers, email
509 addresses, and date of birth and age information in statewide,
510 district, county and municipal voter registration files shall be
511 exempt from and shall not be subject to inspection, examination,
512 copying or reproduction under the Mississippi Public Records Act
513 of 1983.

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

520 **SECTION 7.** Section 97-39-3, Mississippi Code of 1972, is
521 brought forward as follows:



522 97-39-3. If any person shall fight a duel, or give or accept
523 a challenge to fight a duel, or knowingly carry or deliver such
524 challenge or the acceptance thereof, or be second to either party
525 to any duel, whether such act be done in the state or out of it,
526 or who shall go out of the state to fight a duel, or to assist in
527 the same as second, or to send, accept, or carry a challenge,
528 shall be disqualified from holding any office, be disenfranchised,
529 and incapable of holding or being elected to any post of honor,
530 profit or emolument, civil or military, under the constitution and
531 laws of this state; and the appointment of any such person to
532 office, as also all votes given to any such person, are illegal,
533 and none of the votes given to such person for any office shall be
534 taken or counted.

535 **SECTION 8.** Section 99-19-37, Mississippi Code of 1972, is
536 brought forward as follows:

537 99-19-37. (1) Any person who has lost the right of suffrage
538 by reason of conviction of crime and has not been pardoned
539 therefrom, who thereafter served honorably in any branch of the
540 Armed Forces of the United States during the periods of World War
541 I or World War II as hereinafter defined and shall have received
542 an honorable discharge, or release therefrom, shall by reason of
543 such honorable service, have the full right of suffrage restored,
544 provided, however, this does not apply to any one having an
545 unfinished or suspended sentence.



546 (2) For the purposes of this section the period of World War
547 I shall be from April 6, 1917 to December 1, 1918, and the period
548 of World War II shall be from December 7, 1941 to December 31,
549 1946.

550 (3) In order to have restored, and to exercise, the right of
551 franchise under the provisions of this section a person affected
552 hereby shall have his discharge, or release, from the Armed Forces
553 of the United States recorded in the office of the chancery clerk
554 of the county in which such person desires to exercise the right
555 of franchise and if such discharge, or release, appears to be an
556 honorable discharge, or release, and shows such person to have
557 served honorably during either of the periods stated in subsection
558 (2) of this section such person shall have the full right of
559 suffrage restored as though an act had been passed by the
560 Legislature in accordance with Section 253 of the Constitution of
561 the State of Mississippi restoring the right of suffrage to such
562 person.

563 **SECTION 9.** Section 13-5-1, Mississippi Code of 1972, is
564 amended as follows:

565 13-5-1. Every citizen not under the age of twenty-one (21)
566 years, who is either a qualified elector, or a resident freeholder
567 of the county for more than one (1) year, is able to read and
568 write, and has * * *been convicted of an infamous crime but has
569 completed all the sentencing requirements of the conviction, or
570 the unlawful sale of intoxicating liquors within a period of five



571 (5) years and who is not a common gambler or habitual drunkard, is
572 a competent juror. No person who is or has been within twelve
573 (12) months the overseer of a public road or road contractor
574 shall, however, be competent to serve as a grand juror. The lack
575 of any such qualifications on the part of one or more jurors shall
576 not, however, vitiate an indictment or verdict. Moreover, no
577 talesman or tales juror shall be qualified who has served as such
578 talesman or tales juror in the last preceding two (2) years, and
579 no juror shall serve on any jury who has served as such for the
580 last preceding two (2) years. No juror shall serve who has a case
581 of his own pending in that court, provided there are sufficient
582 qualified jurors in the district, and for trial at that term.

583 In order to determine that prospective jurors can read and
584 write, the presiding judge shall, with the assistance of the
585 clerk, distribute to the jury panel a form to be completed
586 personally by each juror prior to being empaneled as follows:

587 "1. Your name _____ last _____ first _____ middle
588 initial.

589 2. Your home address _____.

590 3. Your occupation _____.

591 4. Your age _____.

592 5. Your telephone number _____. If none, write none.

593 6. If you live outside the county seat, the number of miles
594 you live from the courthouse _____ miles.

595



596 Sign your name"

597 The judge shall personally examine the answers of each juror
598 prior to empaneling the jury and each juror who cannot complete
599 the above form shall be disqualified as a juror and discharged.

600 A list of any jurors disqualified for jury duty by reason of
601 inability to complete the form shall be kept by the circuit clerk
602 and their names shall not be placed in the jury box thereafter
603 until such person can qualify as above provided.

604 **SECTION 10.** Section 13-5-8, Mississippi Code of 1972, is
605 amended as follows:

606 13-5-8. (1) Except as otherwise provided in this section,
607 in April of each year, the jury commission for each county shall
608 compile and maintain a master list consisting of the voter
609 registration list for the county.

610 (2) Except as otherwise provided in this section, the
611 circuit clerk of the county and the registrar of voters shall have
612 the duty to certify to the commission during the month of January
613 of each year under the seal of his office the voter registration
614 list for the county; the list shall exclude any person who has
615 been permanently excused from jury service pursuant to Section
616 13-5-23(4). Any person who has been excluded from the master list
617 for jury service for a reason other than being convicted of vote
618 fraud, of any crime listed in Section 241, Mississippi
619 Constitution of 1890, or of any crime interpreted as
620 disenfranchising in later Attorney General opinions, may be



621 reinstated to the master list after one (1) year by requesting
622 that the circuit clerk reinstate him to the master list. Any
623 person who has been excluded from the master list for jury service
624 because he or she is otherwise a qualified elector but has been
625 convicted of vote fraud, of any crime listed in Section 241,
626 Mississippi Constitution of 1890, or of any crime interpreted as
627 disenfranchising in later Attorney General opinions, shall have
628 his or her name reinstated to the master list automatically once
629 he or she has satisfied all of the sentencing requirements of the
630 conviction.

631 **SECTION 11.** Section 13-5-4, Mississippi Code of 1972, is
632 brought forward as follows:

633 13-5-4. As used in this chapter:

634 (a) "Court" means the circuit, chancery and county
635 courts of this state and includes, when the context requires, any
636 judge of the court.

637 (b) "Clerk" and "clerk of the court" means the circuit
638 clerk of the county and any deputy clerk.

639 (c) "Master list" means the voter registration lists
640 for the county.

641 (d) "Voter registration lists" means the official
642 records of persons registered to vote in the county.

643 (e) "Jury wheel" means any physical device or
644 electronic system for the storage of the names or identifying
645 numbers of prospective jurors.



646 (f) "Jury box" means the jury wheel in which is placed
647 the names or identifying numbers of prospective jurors whose names
648 are drawn at random from the jury wheel and who are not
649 disqualified.

650 (g) "Senior judge" means the circuit or chancery judge,
651 as the case may be, who has the longest continuous service on the
652 court in a particular judicial district which has more than one
653 (1) such judge, or if the judges are equal in time of service,
654 then the judge who has been engaged for the longest time
655 continuously in the practice of law in this state.

656 **SECTION 12.** This act shall take effect and be in force from
657 and after July 1, 2024.

