

By: Representatives Arnold, Sanders, Taylor, Hulum, Osborne, Anderson (110th), Bailey, Boyd (19th), Cockerham, Crudup, Denton, Faulkner, Gibbs (36th), Hawkins, Holloway (27th), Holloway (76th), Jackson (11th), Jackson (45th), Karriem, Mickens, Thompson

To: Constitution; Judiciary B

HOUSE BILL NO. 1289

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 A FELONY SHALL HAVE HIS OR HER RIGHT TO VOTE
 4 SUSPENDED UPON CONVICTION BUT SHALL HAVE HIS OR HER RIGHT TO VOTE
 5 AUTOMATICALLY RESTORED ONCE HE OR SHE HAS SATISFIED ALL OF THE
 6 SENTENCING REQUIREMENTS OF THE CONVICTION; TO AMEND SECTIONS
 7 23-15-19, 23-15-125, 23-15-151, 23-15-153 AND 23-15-165,
 8 MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO
 9 BRING FORWARD SECTIONS 97-39-3 AND 99-19-37, MISSISSIPPI CODE OF
 10 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED
 11 PURPOSES.

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

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

15 23-15-11. (1) Every inhabitant of this state, except
 16 persons adjudicated to be non compos mentis, shall be a qualified
 17 elector in and for the county, municipality and voting precinct of
 18 his or her residence and shall be entitled to vote at any election
 19 upon compliance with Section 23-15-563, if he or she:

20 (a) * * * Is a citizen of the United States of
 21 America * * *;

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



23 (c) * * * Has resided in this state for thirty (30)
24 days and for thirty (30) days in the county in which he or she
25 seeks to vote, and for thirty (30) days in the incorporated
26 municipality in which he or she seeks to vote * * *;

27 (d) * * * Has been duly registered as an elector under
28 Section 23-15-33, and

29 (e) * * * Has never been convicted of * * * a felony.

30 If the thirtieth day to register before an election falls on
31 a Sunday or legal holiday, the registration applications submitted
32 on the business day immediately following the Sunday or legal
33 holiday shall be accepted and entered in the Statewide Elections
34 Management System for the purpose of enabling voters to vote in
35 the next election.

36 (2) A person who is otherwise a qualified elector under the
37 provisions of subsection (1) and has been convicted of a felony
38 shall have his or her right to vote suspended upon conviction but
39 shall have his or her right to vote automatically restored once he
40 or she has satisfied all of the sentencing requirements of the
41 conviction.

42 (3) Any person who will be eighteen (18) years of age or
43 older on or before the date of the general election and who is
44 duly registered to vote not less than thirty (30) days before the
45 primary election associated with the general election, may vote in
46 the primary election even though the person has not reached his or



47 her eighteenth birthday at the time that the person seeks to vote
48 at the primary election.

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

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

53 23-15-19. Any person who has been convicted of * * * a
54 felony shall * * * have his or her right to vote suspended upon
55 conviction but shall have his or her right to vote automatically
56 restored once he or she has satisfied all of the sentencing
57 requirements of the conviction. Whenever any person shall be
58 convicted in the circuit court of his or her county of a * * *
59 felony, the county registrar shall thereupon remove his or her
60 name from the Statewide Elections Management System * * * until he
61 or she has satisfied all of the sentencing requirements of the
62 conviction. Whenever any person shall be convicted of a * * *
63 felony in any other court of any county, the presiding judge of
64 the court shall, on demand, certify the fact in writing to the
65 registrar of the county in which the voter resides, who
66 shall * * * remove the name of the person from the Statewide
67 Elections Management System and retain the certificate as a record
68 of his or her office until he or she has satisfied all of the
69 sentencing requirements of the conviction.

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



72 23-15-125. The pollbook of each voting precinct shall
73 designate the voting precinct for which it is to be used, and
74 shall be ruled in appropriate columns, with printed or written
75 headings, as follows: date of registration; voter registration
76 number; name of electors; date of birth; and a number of blank
77 columns for the dates of elections. All qualified applicants who
78 register with the registrar shall be entered in the Statewide
79 Elections Management System. Only the names of those qualified
80 applicants who register within thirty (30) days before an election
81 shall appear on the pollbooks of the election; however, if the
82 thirtieth day to register before an election falls on a Sunday or
83 legal holiday, the registration applications submitted on the
84 business day immediately following the legal holiday shall be
85 accepted and entered in the Statewide Elections Management System
86 for the purpose of enabling voters to vote in the next election.
87 When county election commissioners determine that any elector is
88 disqualified from voting, by reason of death, conviction of
89 a * * * felony, removal from the jurisdiction, failure to comply
90 with the provisions of Section 23-15-152, or other legal cause,
91 that fact shall be noted in the Statewide Elections Management
92 System and the voter's name shall be purged from the Statewide
93 Elections Management System, the state's voter roll and the
94 county's pollbooks. Nothing in this section shall preclude the
95 use of electronic pollbooks. A person who is otherwise a
96 qualified elector under the provisions of Section 23-15-11 and has



97 been convicted of a felony shall have his or her right to vote
98 suspended upon conviction but shall have his or her right to vote
99 automatically restored once he or she has satisfied all of the
100 sentencing requirements of the conviction. Once the person has
101 satisfied all of the sentencing requirements, the voter's name
102 shall be automatically restored into the Statewide Elections
103 Management System, the state's voter roll and the county's
104 pollbooks.

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

107 23-15-151. The circuit clerk of each county is authorized
108 and directed to prepare and keep in his or her office a full and
109 complete list, in alphabetical order, of persons * * * whose right
110 to vote has been suspended upon his or her conviction of a felony.
111 A certified copy of any enrollment by one clerk to another will be
112 sufficient authority for the enrollment of the name, or names, in
113 another county. A list of persons * * * whose right to vote has
114 been suspended upon his or her conviction of a felony shall also
115 be entered into the Statewide Elections Management System on a
116 quarterly basis. * * * A person who is otherwise a qualified
117 elector under the provisions of Section 23-15-11 and has been
118 convicted of a felony shall have his or her right to vote
119 suspended upon conviction but shall have his or her right to vote
120 automatically restored once he or she has satisfied all of the
121 sentencing requirements of the conviction. Once the person has



122 satisfied all of the sentencing requirements, the voter's name
123 shall be automatically restored into the Statewide Elections
124 Management System, the state's voter roll and the county's
125 pollbooks.

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

128 23-15-153. (1) At least during the following times, the
129 election commissioners shall meet at the office of the registrar
130 or the office of the election commissioners to carefully revise
131 the county voter roll as electronically maintained by the
132 Statewide Elections Management System and remove from the roll the
133 names of all voters who have requested to be purged from the voter
134 roll, died, received an adjudication of non compos mentis, been
135 convicted of a * * * felony and had his or her right to vote
136 suspended, failed to comply with the provisions of Section
137 23-15-152, or otherwise become disqualified as electors for any
138 cause, and shall register the names of all persons who have duly
139 applied to be registered but have been illegally denied
140 registration:

141 (a) On the Tuesday after the second Monday in January
142 1987 and every following year;

143 (b) On the first Tuesday in the month immediately
144 preceding the first primary election for members of Congress in
145 the years when members of Congress are elected;



146 (c) On the first Monday in the month immediately
147 preceding the first primary election for state, state district
148 legislative, county and county district offices in the years in
149 which those offices are elected; and

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

153 Except for the names of those voters who are duly qualified
154 to vote in the election, no name shall be permitted to remain in
155 the Statewide Elections Management System; however, no name shall
156 be purged from the Statewide Elections Management System based on
157 a change in the residence of an elector except in accordance with
158 procedures provided for by the National Voter Registration Act of
159 1993 and as provided in Section 23-15-152. Except as otherwise
160 provided by Section 23-15-573, no person shall vote at any
161 election whose name is not in the county voter roll electronically
162 maintained by the Statewide Elections Management System.

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



171 the revision of the county voter roll as electronically maintained
172 by the Statewide Elections Management System as required in
173 subsection (1) of this section:

174 (a) In counties having less than fifteen thousand
175 (15,000) residents according to the latest federal decennial
176 census, not more than fifty (50) days per year, with no more than
177 fifteen (15) additional days allowed for the conduct of each
178 election in excess of one (1) occurring in any calendar year;

179 (b) In counties having fifteen thousand (15,000)
180 residents according to the latest federal decennial census but
181 less than thirty thousand (30,000) residents according to the
182 latest federal decennial census, not more than seventy-five (75)
183 days per year, with no more than twenty-five (25) additional days
184 allowed for the conduct of each election in excess of one (1)
185 occurring in any calendar year;

186 (c) In counties having thirty thousand (30,000)
187 residents according to the latest federal decennial census but
188 less than seventy thousand (70,000) residents according to the
189 latest federal decennial census, not more than one hundred (100)
190 days per year, with no more than thirty-five (35) additional days
191 allowed for the conduct of each election in excess of one (1)
192 occurring in any calendar year;

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



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

200 (e) In counties having ninety thousand (90,000)
201 residents according to the latest federal decennial census but
202 less than one hundred seventy thousand (170,000) residents
203 according to the latest federal decennial census, not more than
204 one hundred fifty (150) days per year, with no more than
205 fifty-five (55) additional days allowed for the conduct of each
206 election in excess of one (1) occurring in any calendar year;

207 (f) In counties having one hundred seventy thousand
208 (170,000) residents according to the latest federal decennial
209 census but less than two hundred thousand (200,000) residents
210 according to the latest federal decennial census, not more than
211 one hundred seventy-five (175) days per year, with no more than
212 sixty-five (65) additional days allowed for the conduct of each
213 election in excess of one (1) occurring in any calendar year;

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



221 (h) In counties having two hundred twenty-five thousand
222 (225,000) residents according to the latest federal decennial
223 census but less than two hundred fifty thousand (250,000)
224 residents according to the latest federal decennial census, not
225 more than two hundred fifteen (15) days per year, with no more
226 than eighty-five (85) additional days allowed for the conduct of
227 each election in excess of one (1) occurring in any calendar year;

228 (i) In counties having two hundred fifty thousand
229 (250,000) residents according to the latest federal decennial
230 census but less than two hundred seventy-five thousand (275,000)
231 residents according to the latest federal decennial census, not
232 more than two hundred thirty (30) days per year, with no more
233 than ninety-five (95) additional days allowed for the conduct of
234 each election in excess of one (1) occurring in any calendar year;

235 (j) In counties having two hundred seventy-five
236 thousand (275,000) residents according to the latest federal
237 decennial census or more, not more than two hundred forty (40)
238 days per year, with no more than one hundred five (105) additional
239 days allowed for the conduct of each election in excess of one (1)
240 occurring in any calendar year.

241 (3) In addition to the number of days authorized in
242 subsection (2) of this section, the board of supervisors of a
243 county may authorize, in its discretion, the election
244 commissioners to receive a per diem in the amount provided for in
245 subsection (2) of this section, to be paid from the county general



246 fund, for every day or period of no less than five (5) hours
247 accumulated over two (2) or more days actually employed in the
248 performance of their duties in the conduct of an election or
249 actually employed in the performance of their duties for the
250 necessary time spent in the revision of the county voter roll as
251 electronically maintained by the Statewide Elections Management
252 System as required in subsection (1) of this section, not to
253 exceed five (5) days.

254 (4) (a) The election commissioners shall be entitled to
255 receive a per diem in the amount of One Hundred Ten Dollars
256 (\$110.00), to be paid from the county general fund, not to exceed
257 ten (10) days for every day or period of no less than five (5)
258 hours accumulated over two (2) or more days actually employed in
259 the performance of their duties for the necessary time spent in
260 the revision of the county voter roll as electronically maintained
261 by the Statewide Elections Management System before any special
262 election. For purposes of this paragraph, the regular special
263 election day shall not be considered a special election. The
264 annual limitations set forth in subsection (2) of this section
265 shall not apply to this paragraph.

266 (b) The election commissioners shall be entitled to
267 receive a per diem in the amount of One Hundred Sixty-five Dollars
268 (\$165.00), to be paid from the county general fund, for the
269 performance of their duties on the day of any primary, runoff,



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

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

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

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

292 (8) In preparation for a municipal primary, runoff, general
293 or special election, the county registrar shall generate and
294 distribute the master voter roll and pollbooks from the Statewide



295 Elections Management System for the municipality located within
296 the county. The municipality shall pay the county registrar for
297 the actual cost of preparing and printing the municipal master
298 voter roll pollbooks. A municipality may secure "read only"
299 access to the Statewide Elections Management System and print its
300 own pollbooks using this information.

301 (9) County election commissioners who perform the duties of
302 an executive committee with regard to the conduct of a primary
303 election under a written agreement authorized by law to be entered
304 into with an executive committee shall receive per diem as
305 provided for in subsection (2) of this section. The days that
306 county election commissioners are employed in the conduct of a
307 primary election shall be treated the same as days county election
308 commissioners are employed in the conduct of other elections.

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

313 (11) Every election commissioner shall sign personally a
314 certification setting forth the number of hours actually worked in
315 the performance of the commissioner's official duties and for
316 which the commissioner seeks compensation. The certification must
317 be on a form as prescribed in this subsection. The commissioner's
318 signature is, as a matter of law, made under the commissioner's
319 oath of office and under penalties of perjury.



320 The certification form shall be as follows:

321 **COUNTY ELECTION COMMISSIONER**

322 **PER DIEM CLAIM FORM**

323 NAME: _____ COUNTY: _____

324 ADDRESS: _____ DISTRICT: _____

325 CITY: _____ ZIP: _____

326		PURPOSE	APPLICABLE	ACTUAL	PER DIEM		
327	DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
328	WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED

329 _____

330 _____

331 _____

332 TOTAL NUMBER OF PER DIEM DAYS EARNED

333 EXCLUDING ELECTION DAYS _____

334 PER DIEM RATE PER DAY EARNED X \$110.00

335 TOTAL NUMBER PER DIEM DAYS EARNED

336 FOR ELECTION DAYS _____

337 PER DIEM RATE PER DAY EARNED X \$165.00

338 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

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

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

344 Signed this the _____ day of _____, ____.



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Commissioner's Signature

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

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

Any contestor who successfully contests any certification will be awarded all expenses incident to his or her contest, together with reasonable attorney's fees, which will be awarded



370 upon petition to the chancery court of the involved county upon
371 final disposition of the contest before the election commission,
372 board of supervisors, clerk of the board of supervisors, or, in
373 case of an appeal, final disposition by the court. The
374 commissioner against whom the contest is decided shall be liable
375 for the payment of the expenses and attorney's fees, and the
376 county shall be jointly and severally liable for same.

377 (12) Any election commissioner who has not received a
378 certificate issued by the Secretary of State pursuant to Section
379 23-15-211 indicating that the election commissioner has received
380 the required elections seminar instruction and that the election
381 commissioner is fully qualified to conduct an election, shall not
382 receive any compensation authorized by this section or Section
383 23-15-239.

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

386 23-15-165. (1) The Office of the Secretary of State, in
387 cooperation with the county registrars and election commissioners,
388 shall procure, implement and maintain an electronic information
389 processing system and programs capable of maintaining a
390 centralized database of all registered voters in the state. The
391 system shall encompass software and hardware, at both the state
392 and county level, software development training, conversion and
393 support and maintenance for the system. The Secretary of State
394 shall equip the Statewide Elections Management System with



395 appropriate security measures to protect private information of
396 the registered voter and the integrity of Mississippi elections.
397 This system shall be known as the "Statewide Elections Management
398 System" and shall constitute the official record of registered
399 voters in every county of the state.

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

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

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

407 (c) Receive regular reports of death, changes of
408 address and convictions for * * * felonies, which cause a voter to
409 have his or her right to vote suspended, that apply to voters
410 registered in the county;

411 (d) Receive regular reports of voters who have
412 satisfied all of the sentencing requirements of his or her
413 conviction and automatically restore the voter's name into the
414 Statewide Elections Management System, the state's voter roll and
415 the county's pollbooks;

416 (* * *e) Retain all present functionality related to,
417 but not limited to, the use of voter roll data and to implement
418 such other functionality as the law requires to enhance the



419 maintenance of accurate county voter records and related jury
420 selection and redistricting programs; and

421 (* * *f) When evidence exists that a registered voter
422 may not be a citizen of the United States as provided in Section
423 23-15-15, send notification to the registrar of the location where
424 the person is registered to vote.

425 (3) As a part of the procurement and implementation of the
426 system, the Office of the Secretary of State shall, with the
427 assistance of the advisory committee, procure services necessary
428 to convert current voter registration records in the counties into
429 a standard, industry accepted file format that can be used on the
430 Statewide Elections Management System. Thereafter, all official
431 voter information shall be maintained on the Statewide Elections
432 Management System. The standard industry accepted format of data
433 was reviewed and approved by a majority of the advisory committee
434 created in subsection (5) of this section after consultation with
435 the Circuit Clerks Association and the format may not be changed
436 without consulting the Circuit Clerks Association.

437 (4) The Secretary of State may, with the assistance of the
438 advisory committee, adopt rules and regulations necessary to
439 administer the Statewide Elections Management System. The rules
440 and regulations shall at least:

441 (a) Provide for the establishment and maintenance of a
442 centralized database for all voter registration information in the
443 state;



444 (b) Provide procedures for integrating data into the
445 centralized database;

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

450 (d) Provide the registrar or his or her designee or
451 other appropriate official, as the law may require, access to the
452 system at all times, including the ability to download copies of
453 the industry standard file, for all purposes related to their
454 official duties, including, but not limited to, exclusive access
455 for the purpose of printing all local pollbooks;

456 (e) Provide security and protection of all information
457 in the system and monitor the system to ensure that unauthorized
458 access is not allowed;

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

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

466 (5) The Secretary of State established an advisory committee
467 to assist in developing system specifications, procurement,
468 implementation and maintenance of the Statewide Elections



469 Management System. The committee included two (2) representatives
470 from the Circuit Clerks Association, appointed by the association;
471 two (2) representatives from the Election Commissioners
472 Association of Mississippi, appointed by the association; one (1)
473 member of the Mississippi Association of Supervisors, or its
474 staff, appointed by the association; the Director of the Stennis
475 Institute of Government at Mississippi State University, or his or
476 her designee; the Executive Director of the Department of
477 Information Technology Services, or his or her designee; two (2)
478 persons knowledgeable about elections and information technology
479 appointed by the Secretary of State; and the Secretary of State,
480 who shall serve as the chair of the advisory committee.

481 (6) (a) Social security numbers, telephone numbers, email
482 addresses, and date of birth and age information in statewide,
483 district, county and municipal voter registration files shall be
484 exempt from and shall not be subject to inspection, examination,
485 copying or reproduction under the Mississippi Public Records Act
486 of 1983.

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



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

495 97-39-3. If any person shall fight a duel, or give or accept
496 a challenge to fight a duel, or knowingly carry or deliver such
497 challenge or the acceptance thereof, or be second to either party
498 to any duel, whether such act be done in the state or out of it,
499 or who shall go out of the state to fight a duel, or to assist in
500 the same as second, or to send, accept, or carry a challenge,
501 shall be disqualified from holding any office, be disenfranchised,
502 and incapable of holding or being elected to any post of honor,
503 profit or emolument, civil or military, under the constitution and
504 laws of this state; and the appointment of any such person to
505 office, as also all votes given to any such person, are illegal,
506 and none of the votes given to such person for any office shall be
507 taken or counted.

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

510 99-19-37. (1) Any person who has lost the right of suffrage
511 by reason of conviction of crime and has not been pardoned
512 therefrom, who thereafter served honorably in any branch of the
513 Armed Forces of the United States during the periods of World War
514 I or World War II as hereinafter defined and shall have received
515 an honorable discharge, or release therefrom, shall by reason of
516 such honorable service, have the full right of suffrage restored,



517 provided, however, this does not apply to any one having an
518 unfinished or suspended sentence.

519 (2) For the purposes of this section the period of World War
520 I shall be from April 6, 1917 to December 1, 1918, and the period
521 of World War II shall be from December 7, 1941 to December 31,
522 1946.

523 (3) In order to have restored, and to exercise, the right of
524 franchise under the provisions of this section a person affected
525 hereby shall have his discharge, or release, from the Armed Forces
526 of the United States recorded in the office of the chancery clerk
527 of the county in which such person desires to exercise the right
528 of franchise and if such discharge, or release, appears to be an
529 honorable discharge, or release, and shows such person to have
530 served honorably during either of the periods stated in subsection
531 (2) of this section such person shall have the full right of
532 suffrage restored as though an act had been passed by the
533 Legislature in accordance with Section 253 of the Constitution of
534 the State of Mississippi restoring the right of suffrage to such
535 person.

536 **SECTION 9.** This act shall take effect and be in force from
537 and after July 1 in the year following the year in which the
538 Secretary of State certifies the passage of the constitutional
539 amendment proposed in House Concurrent Resolution No. ____, 2024
540 Regular Session.

