

By: Representatives Karriem, Wallace,
Shanks, Summers, Thompson, Mickens, Faulkner,
Denton

To: Constitution

HOUSE BILL NO. 1609
(As Passed the House)

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 CERTAIN DISENFRANCHISING CRIMES, EXCEPT FOR
4 ARSON, ARMED ROBBERY, CARJACKING, EMBEZZLEMENT, BRIBERY, PERJURY,
5 MURDER, RAPE, STATUTORY RAPE, SEXUAL BATTERY, OR HUMAN TRAFFICKING
6 SHALL HAVE HIS OR HER RIGHT TO VOTE REVOKED, BUT SHALL HAVE THE
7 RIGHT TO VOTE RESTORED FIVE YEARS AFTER RELEASE FROM CONFINEMENT
8 FOR THE DISQUALIFYING CRIME, OR FIVE YEARS FROM THE DATE OF SUCH
9 CONVICTION, WHICHEVER OCCURS LATER; TO AMEND SECTIONS 23-15-19,
10 23-15-125, 23-15-151, 23-15-153 AND 23-15-165, MISSISSIPPI CODE OF
11 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD
12 SECTIONS 97-39-3 AND 99-19-37, MISSISSIPPI CODE OF 1972, FOR THE
13 PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 97-37-5,
14 MISSISSIPPI CODE OF 1972, TO PROVIDE AN EXCEPTION TO THE FIREARMS
15 PROHIBITION FOR PERSONS WHO HAVE HAD THEIR VOTING RIGHTS RESTORED;
16 AND FOR RELATED PURPOSES.

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

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

20 23-15-11. (1) Except as otherwise provided in subsection
21 (2) of this section, every inhabitant of this state, except
22 persons adjudicated to be non compos mentis, shall be a qualified
23 elector in and for the county, municipality and voting precinct of
24 his or her residence and shall be entitled to vote at any election
25 upon compliance with Section 23-15-563, if he or she is:



26 (a) * * * A citizen of the United States of
27 America * * *;
28 (b) Eighteen (18) years old and upwards * * *;
29 (c) * * * A resident in this state for thirty (30) days
30 and for thirty (30) days in the county in which he or she seeks to
31 vote, and for thirty (30) days in the incorporated municipality in
32 which he or she seeks to vote * * *;
33 (d) * * * Duly registered as an elector under Section
34 23-15-33 * * *; and
35 (e) * * * Never * * * convicted of arson, bribery,
36 perjury, armed robbery, carjacking, embezzlement, if the value
37 and/or amount involved is Five Thousand Dollars (\$5,000.00) or
38 more, murder, rape, statutory rape, sexual battery as provided in
39 Section 97-3-95, human trafficking as provided in Section
40 97-3-54.1 or vote fraud * * *.

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

47 (2) A person who is otherwise a qualified elector under the
48 provisions of subsection (1) of this section, and has been
49 convicted of theft, obtaining money or goods under false pretense,
50 forgery, bigamy, or any crime interpreted as disenfranchising in



51 later Attorney General opinions, except as otherwise provided in
52 this subsection (2), shall have his or her right to vote revoked
53 upon conviction, but shall have his or her right to vote restored
54 five (5) years after the date of such conviction, or five (5)
55 years after his or her release from confinement for such
56 disqualifying crime, whichever occurs later. A person who is
57 convicted of arson, bribery, perjury, armed robbery, as provided
58 in Section 97-3-79, carjacking, embezzlement, if the value and/or
59 amount is Five Thousand Dollars (\$5,000.00) or more, murder, rape,
60 statutory rape, voter fraud, sexual battery, as provided in
61 Section 97-3-95, or human trafficking, as provided in Section
62 97-3-54.1, shall have his or her right to vote revoked upon
63 conviction, and shall not be eligible to have his or her right to
64 vote restored.

65 (3) Any person who will be eighteen (18) years of age or
66 older on or before the date of the general election and who is
67 duly registered to vote not less than thirty (30) days before the
68 primary election associated with the general election, may vote in
69 the primary election even though the person has not reached his or
70 her eighteenth birthday at the time that the person seeks to vote
71 at the primary election.

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

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



76 23-15-19. Any person who has been convicted of * * * any
77 crime listed in Section 241, Mississippi Constitution of 1890
78 * * *, or any crime interpreted as disenfranchising in later
79 Attorney General opinions, except as otherwise provided in this
80 Section 2, shall * * * have his or her right to vote revoked upon
81 conviction, but shall have his or her right to vote restored five
82 (5) years after the date of such conviction, or five (5) years
83 after his or her release from confinement for such disqualifying
84 crime, whichever occurs later. A person who is convicted of
85 arson, bribery, perjury, armed robbery, as provided in Section
86 97-3-79, carjacking, embezzlement, if the value and/or amount is
87 Five Thousand Dollars (\$5,000.00) or more, murder, rape, statutory
88 rape, voter fraud, sexual battery, as provided in Section 97-3-95,
89 or human trafficking, as provided in Section 97-3-54.1, shall have
90 his or her right to vote revoked upon conviction, and shall not be
91 eligible to have his or her right to vote restored. Whenever any
92 person shall be convicted in the circuit court of his or her
93 county of a disenfranchising crime, the county registrar
94 shall * * * remove his or her name from the Statewide Elections
95 Management System; and whenever any person shall be convicted of a
96 disenfranchising crime in any other court of any county, the
97 presiding judge of the court shall, on demand, certify the fact in
98 writing to the registrar of the county in which the voter resides,
99 who shall * * * remove the name of the person from the Statewide



100 Elections Management System and retain the certificate as a record
101 of his or her office.

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

104 23-15-125. The pollbook of each voting precinct shall
105 designate the voting precinct for which it is to be used, and
106 shall be ruled in appropriate columns, with printed or written
107 headings, as follows: date of registration; voter registration
108 number; name of electors; date of birth; and a number of blank
109 columns for the dates of elections. All qualified applicants who
110 register with the registrar shall be entered in the Statewide
111 Elections Management System. Only the names of those qualified
112 applicants who register within thirty (30) days before an election
113 shall appear on the pollbooks of the election; however, if the
114 thirtieth day to register before an election falls on a Sunday or
115 legal holiday, the registration applications submitted on the
116 business day immediately following the legal holiday shall be
117 accepted and entered in the Statewide Elections Management System
118 for the purpose of enabling voters to vote in the next election.
119 When county election commissioners determine that any elector is
120 disqualified from voting, by reason of death, conviction of
121 a * * * disenfranchising crime, removal from the jurisdiction,
122 failure to comply with the provisions of Section 23-15-152, or
123 other legal cause, that fact shall be noted in the Statewide
124 Elections Management System and the voter's name shall be purged



125 from the Statewide Elections Management System, the state's voter
126 roll and the county's pollbooks. Nothing in this section shall
127 preclude the use of electronic pollbooks. A person who is
128 otherwise a qualified elector under the provisions of Section
129 23-15-11 and has been convicted of theft, obtaining money or goods
130 under false pretense, forgery, bigamy, or any crime interpreted as
131 disenfranchising in later Attorney General opinions, except as
132 otherwise provided in this Section 3, shall have his or her right
133 to vote revoked upon conviction, but shall have his or her right
134 to vote restored five (5) years after the date of such conviction,
135 or five (5) years after his or her release from confinement for
136 such disqualifying crime, whichever occurs later. A person who is
137 convicted of arson, bribery, perjury, armed robbery, as provided
138 in Section 97-3-79, carjacking, embezzlement, if the value and/or
139 amount is Five Thousand Dollars (\$5,000.00) or more, murder, rape,
140 statutory rape, voter fraud, sexual battery, as provided in
141 Section 97-3-95, or human trafficking, as provided in Section
142 97-3-54.1, shall have his or her right to vote revoked upon
143 conviction, and shall not be eligible to have his or her right to
144 vote restored.

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

147 23-15-151. The circuit clerk of each county is authorized
148 and directed to prepare and keep in his or her office a full and
149 complete list, in alphabetical order, of persons convicted of



150 voter fraud or of any crime listed in Section 241, Mississippi
151 Constitution of 1890, or any crime interpreted as disenfranchising
152 in later Attorney General opinions, whose right to vote has been
153 revoked upon his or her conviction. A certified copy of any
154 enrollment by one (1) clerk to another will be sufficient
155 authority for the enrollment of the name, or names, in another
156 county. A list of persons convicted of voter fraud, any crime
157 listed in Section 241, Mississippi Constitution of 1890, or any
158 crime interpreted as disenfranchising in later Attorney General
159 opinions, shall also be entered into the Statewide Elections
160 Management System on a quarterly basis. * * * A person who is
161 otherwise a qualified elector under the provisions of Section
162 23-15-11 and has been convicted of any crime listed in Section
163 241, Mississippi Constitution of 1890, or any crime interpreted as
164 disenfranchising in later Attorney General opinions, except as
165 otherwise provided in this Section 4, shall have his or her right
166 to vote revoked upon conviction, but shall have his or her right
167 to vote restored five (5) years after the date of such conviction,
168 or five (5) years after his or her release from confinement for
169 such disqualifying crime, whichever occurs later. A person who is
170 convicted of arson, bribery, perjury, armed robbery, as provided
171 in Section 97-3-79, carjacking, embezzlement, if the value and/or
172 amount is Five Thousand Dollars (\$5,000.00) or more, murder, rape,
173 statutory rape, voter fraud, sexual battery, as provided in
174 Section 97-3-95, or human trafficking, as provided in Section



175 97-3-54.1, shall have his or her right to vote revoked upon
176 conviction, and shall not be eligible to have his or her right to
177 vote restored.

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

180 23-15-153. (1) At least during the following times, the
181 election commissioners shall meet at the office of the registrar
182 or the office of the election commissioners to carefully revise
183 the county voter roll as electronically maintained by the
184 Statewide Elections Management System and remove from the roll the
185 names of all voters who have requested to be purged from the voter
186 roll, died, received an adjudication of non compos mentis, been
187 convicted of a disenfranchising crime and had his or her right to
188 vote revoked because of such conviction, failed to comply with the
189 provisions of Section 23-15-152, or otherwise become disqualified
190 as electors for any cause, and shall register the names of all
191 persons who have duly applied to be registered but have been
192 illegally denied registration:

193 (a) On the Tuesday after the second Monday in January
194 1987 and every following year;

195 (b) On the first Tuesday in the month immediately
196 preceding the first primary election for members of Congress in
197 the years when members of Congress are elected;

198 (c) On the first Monday in the month immediately
199 preceding the first primary election for state, state district



200 legislative, county and county district offices in the years in
201 which those offices are elected; and

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

205 Except for the names of those voters who are duly qualified
206 to vote in the election, no name shall be permitted to remain in
207 the Statewide Elections Management System; however, no name shall
208 be purged from the Statewide Elections Management System based on
209 a change in the residence of an elector except in accordance with
210 procedures provided for by the National Voter Registration Act of
211 1993 and as provided in Section 23-15-152. Except as otherwise
212 provided by Section 23-15-573, no person shall vote at any
213 election whose name is not in the county voter roll electronically
214 maintained by the Statewide Elections Management System.

215 (2) Except as provided in this section, and subject to the
216 following annual limitations, the election commissioners shall be
217 entitled to receive a per diem in the amount of One Hundred Ten
218 Dollars (\$110.00), to be paid from the county general fund, for
219 every day or period of no less than five (5) hours accumulated
220 over two (2) or more days actually employed in the performance of
221 their duties in the conduct of an election or actually employed in
222 the performance of their duties for the necessary time spent in
223 the revision of the county voter roll as electronically maintained



224 by the Statewide Elections Management System as required in
225 subsection (1) of this section:

226 (a) In counties having less than fifteen thousand
227 (15,000) residents according to the latest federal decennial
228 census, not more than fifty (50) days per year, with no more than
229 fifteen (15) additional days allowed for the conduct of each
230 election in excess of one (1) occurring in any calendar year;

231 (b) In counties having fifteen thousand (15,000)
232 residents according to the latest federal decennial census but
233 less than thirty thousand (30,000) residents according to the
234 latest federal decennial census, not more than seventy-five (75)
235 days per year, with no more than twenty-five (25) additional days
236 allowed for the conduct of each election in excess of one (1)
237 occurring in any calendar year;

238 (c) In counties having thirty thousand (30,000)
239 residents according to the latest federal decennial census but
240 less than seventy thousand (70,000) residents according to the
241 latest federal decennial census, not more than one hundred (100)
242 days per year, with no more than thirty-five (35) additional days
243 allowed for the conduct of each election in excess of one (1)
244 occurring in any calendar year;

245 (d) In counties having seventy thousand (70,000)
246 residents according to the latest federal decennial census but
247 less than ninety thousand (90,000) residents according to the
248 latest federal decennial census, not more than one hundred



249 twenty-five (125) days per year, with no more than forty-five (45)
250 additional days allowed for the conduct of each election in excess
251 of one (1) occurring in any calendar year;

252 (e) In counties having ninety thousand (90,000)
253 residents according to the latest federal decennial census but
254 less than one hundred seventy thousand (170,000) residents
255 according to the latest federal decennial census, not more than
256 one hundred fifty (150) days per year, with no more than
257 fifty-five (55) additional days allowed for the conduct of each
258 election in excess of one (1) occurring in any calendar year;

259 (f) In counties having one hundred seventy thousand
260 (170,000) residents according to the latest federal decennial
261 census but less than two hundred thousand (200,000) residents
262 according to the latest federal decennial census, not more than
263 one hundred seventy-five (175) days per year, with no more than
264 sixty-five (65) additional days allowed for the conduct of each
265 election in excess of one (1) occurring in any calendar year;

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



273 (h) In counties having two hundred twenty-five thousand
274 (225,000) residents according to the latest federal decennial
275 census but less than two hundred fifty thousand (250,000)
276 residents according to the latest federal decennial census, not
277 more than two hundred fifteen (15) days per year, with no more
278 than eighty-five (85) additional days allowed for the conduct of
279 each election in excess of one (1) occurring in any calendar year;

280 (i) In counties having two hundred fifty thousand
281 (250,000) residents according to the latest federal decennial
282 census but less than two hundred seventy-five thousand (275,000)
283 residents according to the latest federal decennial census, not
284 more than two hundred thirty (30) days per year, with no more
285 than ninety-five (95) additional days allowed for the conduct of
286 each election in excess of one (1) occurring in any calendar year;

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

293 (3) In addition to the number of days authorized in
294 subsection (2) of this section, the board of supervisors of a
295 county may authorize, in its discretion, the election
296 commissioners to receive a per diem in the amount provided for in
297 subsection (2) of this section, to be paid from the county general



298 fund, for every day or period of no less than five (5) hours
299 accumulated over two (2) or more days actually employed in the
300 performance of their duties in the conduct of an election or
301 actually employed in the performance of their duties for the
302 necessary time spent in the revision of the county voter roll as
303 electronically maintained by the Statewide Elections Management
304 System as required in subsection (1) of this section, not to
305 exceed five (5) days.

306 (4) (a) The election commissioners shall be entitled to
307 receive a per diem in the amount of One Hundred Ten Dollars
308 (\$110.00), to be paid from the county general fund, not to exceed
309 ten (10) days for every day or period of no less than five (5)
310 hours accumulated over two (2) or more days actually employed in
311 the performance of their duties for the necessary time spent in
312 the revision of the county voter roll as electronically maintained
313 by the Statewide Elections Management System before any special
314 election. For purposes of this paragraph, the regular special
315 election day shall not be considered a special election. The
316 annual limitations set forth in subsection (2) of this section
317 shall not apply to this paragraph.

318 (b) The election commissioners shall be entitled to
319 receive a per diem in the amount of One Hundred Sixty-five Dollars
320 (\$165.00), to be paid from the county general fund, for the
321 performance of their duties on the day of any primary, runoff,



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

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

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

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

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



347 Elections Management System for the municipality located within
348 the county. The municipality shall pay the county registrar for
349 the actual cost of preparing and printing the municipal master
350 voter roll pollbooks. A municipality may secure "read only"
351 access to the Statewide Elections Management System and print its
352 own pollbooks using this information.

353 (9) County election commissioners who perform the duties of
354 an executive committee with regard to the conduct of a primary
355 election under a written agreement authorized by law to be entered
356 into with an executive committee shall receive per diem as
357 provided for in subsection (2) of this section. The days that
358 county election commissioners are employed in the conduct of a
359 primary election shall be treated the same as days county election
360 commissioners are employed in the conduct of other elections.

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

365 (11) Every election commissioner shall sign personally a
366 certification setting forth the number of hours actually worked in
367 the performance of the commissioner's official duties and for
368 which the commissioner seeks compensation. The certification must
369 be on a form as prescribed in this subsection. The commissioner's
370 signature is, as a matter of law, made under the commissioner's
371 oath of office and under penalties of perjury.



372 The certification form shall be as follows:

373 **COUNTY ELECTION COMMISSIONER**

374 **PER DIEM CLAIM FORM**

375 NAME: _____ COUNTY: _____

376 ADDRESS: _____ DISTRICT: _____

377 CITY: _____ ZIP: _____

378		PURPOSE	APPLICABLE	ACTUAL	PER DIEM		
379	DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
380	WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED

381 _____

382 _____

383 _____

384 TOTAL NUMBER OF PER DIEM DAYS EARNED

385 EXCLUDING ELECTION DAYS _____

386 PER DIEM RATE PER DAY EARNED X \$110.00

387 TOTAL NUMBER PER DIEM DAYS EARNED

388 FOR ELECTION DAYS _____

389 PER DIEM RATE PER DAY EARNED X \$165.00

390 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

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

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

396 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



422 upon petition to the chancery court of the involved county upon
423 final disposition of the contest before the election commission,
424 board of supervisors, clerk of the board of supervisors, or, in
425 case of an appeal, final disposition by the court. The
426 commissioner against whom the contest is decided shall be liable
427 for the payment of the expenses and attorney's fees, and the
428 county shall be jointly and severally liable for same.

429 (12) Any election commissioner who has not received a
430 certificate issued by the Secretary of State pursuant to Section
431 23-15-211 indicating that the election commissioner has received
432 the required elections seminar instruction and that the election
433 commissioner is fully qualified to conduct an election, shall not
434 receive any compensation authorized by this section or Section
435 23-15-239.

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

438 23-15-165. (1) The Office of the Secretary of State, in
439 cooperation with the county registrars and election commissioners,
440 shall procure, implement and maintain an electronic information
441 processing system and programs capable of maintaining a
442 centralized database of all registered voters in the state. The
443 system shall encompass software and hardware, at both the state
444 and county level, software development training, conversion and
445 support and maintenance for the system. The Secretary of State
446 shall equip the Statewide Elections Management System with



447 appropriate security measures to protect private information of
448 the registered voter and the integrity of Mississippi elections.
449 This system shall be known as the "Statewide Elections Management
450 System" and shall constitute the official record of registered
451 voters in every county of the state.

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

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

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

459 (c) Receive regular reports of death, changes of
460 address and convictions for * * * disenfranchising crimes, which
461 cause a voter to have his or her right to vote revoked, that apply
462 to voters registered in the county;

463 (d) Retain all present functionality related to, but
464 not limited to, the use of voter roll data and to implement such
465 other functionality as the law requires to enhance the maintenance
466 of accurate county voter records and related jury selection and
467 redistricting programs; and

468 (e) When evidence exists that a registered voter may
469 not be a citizen of the United States as provided in Section
470 23-15-15, send notification to the registrar of the location where
471 the person is registered to vote.



472 (3) As a part of the procurement and implementation of the
473 system, the Office of the Secretary of State shall, with the
474 assistance of the advisory committee, procure services necessary
475 to convert current voter registration records in the counties into
476 a standard, industry accepted file format that can be used on the
477 Statewide Elections Management System. Thereafter, all official
478 voter information shall be maintained on the Statewide Elections
479 Management System. The standard industry accepted format of data
480 was reviewed and approved by a majority of the advisory committee
481 created in subsection (5) of this section after consultation with
482 the Circuit Clerks Association and the format may not be changed
483 without consulting the Circuit Clerks Association.

484 (4) The Secretary of State may, with the assistance of the
485 advisory committee, adopt rules and regulations necessary to
486 administer the Statewide Elections Management System. The rules
487 and regulations shall at least:

488 (a) Provide for the establishment and maintenance of a
489 centralized database for all voter registration information in the
490 state;

491 (b) Provide procedures for integrating data into the
492 centralized database;

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



497 (d) Provide the registrar or his or her designee or
498 other appropriate official, as the law may require, access to the
499 system at all times, including the ability to download copies of
500 the industry standard file, for all purposes related to their
501 official duties, including, but not limited to, exclusive access
502 for the purpose of printing all local pollbooks;

503 (e) Provide security and protection of all information
504 in the system and monitor the system to ensure that unauthorized
505 access is not allowed;

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

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

513 (5) The Secretary of State established an advisory committee
514 to assist in developing system specifications, procurement,
515 implementation and maintenance of the Statewide Elections
516 Management System. The committee included two (2) representatives
517 from the Circuit Clerks Association, appointed by the association;
518 two (2) representatives from the Election Commissioners
519 Association of Mississippi, appointed by the association; one (1)
520 member of the Mississippi Association of Supervisors, or its
521 staff, appointed by the association; the Director of the Stennis



522 Institute of Government at Mississippi State University, or his or
523 her designee; the Executive Director of the Department of
524 Information Technology Services, or his or her designee; two (2)
525 persons knowledgeable about elections and information technology
526 appointed by the Secretary of State; and the Secretary of State,
527 who shall serve as the chair of the advisory committee.

528 (6) (a) Social security numbers, telephone numbers, email
529 addresses, and date of birth and age information in statewide,
530 district, county and municipal voter registration files shall be
531 exempt from and shall not be subject to inspection, examination,
532 copying or reproduction under the Mississippi Public Records Act
533 of 1983.

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

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

542 97-39-3. If any person shall fight a duel, or give or accept
543 a challenge to fight a duel, or knowingly carry or deliver such
544 challenge or the acceptance thereof, or be second to either party
545 to any duel, whether such act be done in the state or out of it,
546 or who shall go out of the state to fight a duel, or to assist in



547 the same as second, or to send, accept, or carry a challenge,
548 shall be disqualified from holding any office, be disenfranchised,
549 and incapable of holding or being elected to any post of honor,
550 profit or emolument, civil or military, under the constitution and
551 laws of this state; and the appointment of any such person to
552 office, as also all votes given to any such person, are illegal,
553 and none of the votes given to such person for any office shall be
554 taken or counted.

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

557 99-19-37. (1) Any person who has lost the right of suffrage
558 by reason of conviction of crime and has not been pardoned
559 therefrom, who thereafter served honorably in any branch of the
560 Armed Forces of the United States during the periods of World War
561 I or World War II as hereinafter defined and shall have received
562 an honorable discharge, or release therefrom, shall by reason of
563 such honorable service, have the full right of suffrage restored,
564 provided, however, this does not apply to any one having an
565 unfinished or suspended sentence.

566 (2) For the purposes of this section the period of World War
567 I shall be from April 6, 1917 to December 1, 1918, and the period
568 of World War II shall be from December 7, 1941 to December 31,
569 1946.

570 (3) In order to have restored, and to exercise, the right of
571 franchise under the provisions of this section a person affected



572 hereby shall have his discharge, or release, from the Armed Forces
573 of the United States recorded in the office of the chancery clerk
574 of the county in which such person desires to exercise the right
575 of franchise and if such discharge, or release, appears to be an
576 honorable discharge, or release, and shows such person to have
577 served honorably during either of the periods stated in subsection
578 (2) of this section such person shall have the full right of
579 suffrage restored as though an act had been passed by the
580 Legislature in accordance with Section 253 of the Constitution of
581 the State of Mississippi restoring the right of suffrage to such
582 person.

583 **SECTION 9.** Section 97-37-5, Mississippi Code of 1972, is
584 amended as follows:

585 97-37-5. (1) It shall be unlawful for any person who has
586 been convicted of a felony under the laws of this state, any other
587 state, or of the United States to possess any firearm or any bowie
588 knife, dirk knife, butcher knife, switchblade knife, metallic
589 knuckles, blackjack, or any muffler or silencer for any firearm
590 unless such person has received a pardon for such felony, has had
591 his or her voting rights restored under Sections 1 through 6 of
592 this act, has received a relief from disability pursuant to
593 Section 925(c) of Title 18 of the United States Code, or has
594 received a certificate of rehabilitation pursuant to subsection
595 (3) of this section.



596 (2) Any person violating this section shall be guilty of a
597 felony and, upon conviction thereof, shall be fined not more than
598 Five Thousand Dollars (\$5,000.00), or committed to the custody of
599 the State Department of Corrections for not less than one (1) year
600 nor more than ten (10) years, or both.

601 (3) A person who has been convicted of a felony under the
602 laws of this state, under the laws of another state, under federal
603 law or in state military court may apply for a certificate of
604 rehabilitation as provided in this section. If the person was
605 convicted of a felony under the laws of this state, he or she may
606 apply to the court in which he was convicted for a certificate of
607 rehabilitation. If the person was convicted of a felony under the
608 laws of another state, under federal law or in state military
609 court, he or she may apply to the court in the person's county of
610 residence for a certificate of rehabilitation. A person convicted
611 of a felony under the laws of another state, under federal law or
612 in state military court shall attach a certified copy of his or
613 her judgment and a certified copy of his or her completion of
614 sentence to the petition for a certificate of rehabilitation. The
615 court may grant such certificate in its discretion upon a showing
616 to the satisfaction of the court that the applicant has been
617 rehabilitated and has led a useful, productive and law-abiding
618 life since the completion of his or her sentence and upon the
619 finding of the court that he or she will not be likely to act in a
620 manner dangerous to public safety.



621 (4) (a) A person who is discharged from court-ordered
622 mental health treatment may petition the court which entered the
623 commitment order for an order stating that the person qualifies
624 for relief from a firearms disability.

625 (b) In determining whether to grant relief, the court
626 must hear and consider evidence about:

627 (i) The circumstances that led to imposition of
628 the firearms disability under 18 USCS, Section 922(d)(4);

629 (ii) The person's mental history;

630 (iii) The person's criminal history; and

631 (iv) The person's reputation.

632 (c) A court may not grant relief unless it makes and
633 enters in the record the following affirmative findings:

634 (i) That the person is no longer likely to act in
635 a manner dangerous to public safety; and

636 (ii) Removing the person's disability to purchase
637 a firearm is not against the public interest.

638 **SECTION 10.** This act shall take effect and be in force from
639 and after July 1, 2024.

