

By: Representative Scott

To: Judiciary B;
Constitution

HOUSE BILL NO. 515

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

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

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

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

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

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

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

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



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

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

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



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

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

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



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

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

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

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

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



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

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

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



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

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

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



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

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

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

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

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

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

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

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

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

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



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

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

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

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

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



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

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

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

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



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

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



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

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

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

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



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

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

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

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

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

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

362 The certification form shall be as follows:

363 **COUNTY ELECTION COMMISSIONER**

364 **PER DIEM CLAIM FORM**

365 NAME: _____ COUNTY: _____

366 ADDRESS: _____ DISTRICT: _____

367 CITY: _____ ZIP: _____

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

371 _____

372 _____

373 _____

374 TOTAL NUMBER OF PER DIEM DAYS EARNED

375 EXCLUDING ELECTION DAYS _____

376 PER DIEM RATE PER DAY EARNED X \$110.00

377 TOTAL NUMBER PER DIEM DAYS EARNED

378 FOR ELECTION DAYS _____

379 PER DIEM RATE PER DAY EARNED X \$165.00

380 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____



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

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

386 Signed this the _____ day of _____, _____.

387

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.

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

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

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

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

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

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



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

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

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



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

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

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

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



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

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

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

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

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



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

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

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



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

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

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

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

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



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

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

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

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



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

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

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

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

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



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

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



628 shall be placed upon the ballot for a second election to be held
629 four (4) weeks later in accordance with appropriate procedures
630 followed in other elections involving runoff candidates.

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

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

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

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

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

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

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

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

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

669 (b) By August 1, 2025, the Secretary of State shall
670 develop and make available online a training course for all
671 registrars that shall be completed by them on an annual basis.
672 The training seminar shall include instructions to registrars on
673 the proper performance of their duties with regard to persons who
674 are restored the right of suffrage as provided in Section 1 of
675 this act.

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

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



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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

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

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



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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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



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

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

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

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

