By: Representative Arnold

To: Judiciary B; Constitution

HOUSE BILL NO. 562

AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO IS OTHERWISE A QUALIFIED ELECTOR AND HAS BEEN CONVICTED OF A FELONY SHALL HAVE HIS OR HER RIGHT TO VOTE SUSPENDED UPON CONVICTION BUT SHALL HAVE HIS OR HER RIGHT TO VOTE 5 AUTOMATICALLY RESTORED ONCE HE OR SHE HAS SATISFIED ALL OF THE SENTENCING REQUIREMENTS OF THE CONVICTION; TO AMEND SECTIONS 7 23-15-19, 23-15-125, 23-15-151, 23-15-153 AND 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO 8 BRING FORWARD SECTIONS 97-39-3 AND 99-19-37, MISSISSIPPI CODE OF 9 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED 10 11 PURPOSES. 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI: 13 SECTION 1. Section 23-15-11, Mississippi Code of 1972, is amended as follows: 14 15 23-15-11. (1) Every inhabitant of this state, except persons adjudicated to be non compos mentis, shall be a qualified 16 17 elector in and for the county, municipality and voting precinct of 18 his or her residence and shall be entitled to vote at any election 19 upon compliance with Section 23-15-563, if he or she: 20 (a) * * * Is a citizen of the United States of 21 America * * *; 22 Is eighteen (18) years old and upwards * * *;

- 23 (c) * * * Has resided in this state for thirty (30)
- 24 days and for thirty (30) days in the county in which he or she
- 25 seeks to vote, and for thirty (30) days in the incorporated
- 26 municipality in which he or she seeks to vote * * *;
- 27 (d) * * * Has been duly registered as an elector under
- 28 Section 23-15-33, and
- 29 (e) * * * Has never been convicted of * * * a felony.
- 30 If the thirtieth day to register before an election falls on
- 31 a Sunday or legal holiday, the registration applications submitted
- 32 on the business day immediately following the Sunday or legal
- 33 holiday shall be accepted and entered in the Statewide Elections
- 34 Management System for the purpose of enabling voters to vote in
- 35 the next election.
- 36 (2) A person who is otherwise a qualified elector under the
- 37 provisions of subsection (1) and has been convicted of a felony
- 38 shall have his or her right to vote suspended upon conviction but
- 39 shall have his or her right to vote automatically restored once he
- 40 or she has satisfied all of the sentencing requirements of the
- 41 conviction.
- 42 (3) Any person who will be eighteen (18) years of age or
- 43 older on or before the date of the general election and who is
- 44 duly registered to vote not less than thirty (30) days before the
- 45 primary election associated with the general election, may vote in
- 46 the primary election even though the person has not reached his or

- 47 her eighteenth birthday at the time that the person seeks to vote
- 48 at the primary election.
- 49 $\underline{\text{(4)}}$ No others than those specified in this section shall be
- 50 entitled, or shall be allowed, to vote at any election.
- SECTION 2. Section 23-15-19, Mississippi Code of 1972, is
- 52 amended as follows:
- 53 23-15-19. Any person who has been convicted of * * * a
- 54 felony shall * * * have his or her right to vote suspended upon
- 55 conviction but shall have his or her right to vote automatically
- 56 restored once he or she has satisfied all of the sentencing
- 57 requirements of the conviction. Whenever any person shall be
- 58 convicted in the circuit court of his or her county of a * * *
- 59 felony, the county registrar shall thereupon remove his or her
- 60 name from the Statewide Elections Management System * * * until he
- or she has satisfied all of the sentencing requirements of the
- 62 conviction. Whenever any person shall be convicted of a * * *
- 63 felony in any other court of any county, the presiding judge of
- 64 the court shall, on demand, certify the fact in writing to the
- 65 registrar of the county in which the voter resides, who
- 66 shall * * * remove the name of the person from the Statewide
- 67 Elections Management System and retain the certificate as a record
- of his or her office until he or she has satisfied all of the
- 69 sentencing requirements of the conviction.
- 70 **SECTION 3.** Section 23-15-125, Mississippi Code of 1972, is
- 71 amended as follows:

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

98	suspended upon conviction but shall have his or her right to vote
99	automatically restored once he or she has satisfied all of the
100	sentencing requirements of the conviction. Once the person has
101	satisfied all of the sentencing requirements, the voter's name
102	shall be automatically restored into the Statewide Elections
103	Management System, the state's voter roll and the county's
104	pollbooks.
105	SECTION 4. Section 23-15-151, Mississippi Code of 1972, is
106	amended as follows:
107	23-15-151. The circuit clerk of each county is authorized
108	and directed to prepare and keep in his or her office a full and
109	complete list, in alphabetical order, of persons * * * whose right
110	to vote has been suspended upon his or her conviction of a felony.
111	A certified copy of any enrollment by one clerk to another will be
112	sufficient authority for the enrollment of the name, or names, in
113	another county. A list of persons * * * whose right to vote has
114	been suspended upon his or her conviction of a felony shall also
115	be entered into the Statewide Elections Management System on a
116	quarterly basis. * * * A person who is otherwise a qualified
117	elector under the provisions of Section 23-15-11 and has been
118	convicted of a felony shall have his or her right to vote
119	suspended upon conviction but shall have his or her right to vote
120	automatically restored once he or she has satisfied all of the
121	sentencing requirements of the conviction. Once the person has

been convicted of a felony shall have his or her right to vote

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- 123 shall be automatically restored into the Statewide Elections
- 124 Management System, the state's voter roll and the county's
- 125 pollbooks.
- 126 **SECTION 5.** Section 23-15-153, Mississippi Code of 1972, is
- 127 amended as follows:
- 128 23-15-153. (1) At least during the following times, the
- 129 election commissioners shall meet at the office of the registrar
- 130 or the office of the election commissioners to carefully revise
- 131 the county voter roll as electronically maintained by the
- 132 Statewide Elections Management System and remove from the roll the
- 133 names of all voters who have requested to be purged from the voter
- 134 roll, died, received an adjudication of non compos mentis, been
- 135 convicted of a * * * felony and had his or her right to vote
- 136 suspended, failed to comply with the provisions of Section
- 137 23-15-152, or otherwise become disqualified as electors for any
- 138 cause, and shall register the names of all persons who have duly
- 139 applied to be registered but have been illegally denied
- 140 registration:
- 141 (a) On the Tuesday after the second Monday in January
- 142 1987 and every following year;
- 143 (b) On the first Tuesday in the month immediately
- 144 preceding the first primary election for members of Congress in
- 145 the years when members of Congress are elected;

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

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

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

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

171 the revision of the county voter roll as electronically mainta
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- 172 by the Statewide Elections Management System as required in
- 173 subsection (1) of this section:
- 174 (a) In counties having less than fifteen thousand
- 175 (15,000) residents according to the latest federal decennial
- 176 census, not more than fifty (50) days per year, with no more than
- 177 fifteen (15) additional days allowed for the conduct of each
- 178 election in excess of one (1) occurring in any calendar year;
- (b) In counties having fifteen thousand (15,000)
- 180 residents according to the latest federal decennial census but
- 181 less than thirty thousand (30,000) residents according to the
- 182 latest federal decennial census, not more than seventy-five (75)
- 183 days per year, with no more than twenty-five (25) additional days
- 184 allowed for the conduct of each election in excess of one (1)
- 185 occurring in any calendar year;
- 186 (c) In counties having thirty thousand (30,000)
- 187 residents according to the latest federal decennial census but
- 188 less than seventy thousand (70,000) residents according to the
- 189 latest federal decennial census, not more than one hundred (100)
- 190 days per year, with no more than thirty-five (35) additional days
- 191 allowed for the conduct of each election in excess of one (1)
- 192 occurring in any calendar year;
- 193 (d) In counties having seventy thousand (70,000)
- 194 residents according to the latest federal decennial census but
- 195 less than ninety thousand (90,000) residents according to the

196	latest federal decennial census, not more than one hundred
197	twenty-five (125) days per year, with no more than forty-five (45)
198	additional days allowed for the conduct of each election in excess
199	of one (1) occurring in any calendar year;
200	(e) In counties having ninety thousand (90,000)
201	residents according to the latest federal decennial census but
202	less than one hundred seventy thousand (170,000) residents
203	according to the latest federal decennial census, not more than
204	one hundred fifty (150) days per year, with no more than
205	fifty-five (55) additional days allowed for the conduct of each
206	election in excess of one (1) occurring in any calendar year;
207	(f) In counties having one hundred seventy thousand
208	(170,000) residents according to the latest federal decennial
209	census but less than two hundred thousand (200,000) residents
210	according to the latest federal decennial census, not more than
211	one hundred seventy-five (175) days per year, with no more than
212	sixty-five (65) additional days allowed for the conduct of each
213	election in excess of one (1) occurring in any calendar year;
214	(g) In counties having two hundred thousand (200,000)
215	residents according to the latest federal decennial census but
216	less than two hundred twenty-five thousand (225,000) residents
217	according to the latest federal decennial census, not more than
218	one hundred ninety (190) days per year, with no more than

seventy-five (75) additional days allowed for the conduct of each

election in excess of one (1) occurring in any calendar year;

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221	(h) In counties having two hundred twenty-five thousand
222	(225,000) residents according to the latest federal decennial
223	census but less than two hundred fifty thousand (250,000)
224	residents according to the latest federal decennial census, not
225	more than two hundred fifteen (215) days per year, with no more
226	than eighty-five (85) additional days allowed for the conduct of
227	each election in excess of one (1) occurring in any calendar year;
228	(i) In counties having two hundred fifty thousand
229	(250,000) residents according to the latest federal decennial
230	census but less than two hundred seventy-five thousand (275,000)
231	residents according to the latest federal decennial census, not
232	more than two hundred thirty (230) days per year, with no more
233	than ninety-five (95) additional days allowed for the conduct of
234	each election in excess of one (1) occurring in any calendar year;
235	(j) In counties having two hundred seventy-five
236	thousand (275,000) residents according to the latest federal
237	decennial census or more, not more than two hundred forty (240)
238	days per year, with no more than one hundred five (105) additional
239	days allowed for the conduct of each election in excess of one (1)
240	occurring in any calendar year.

241 (3) In addition to the number of days authorized in 242 subsection (2) of this section, the board of supervisors of a 243 county may authorize, in its discretion, the election 244 commissioners to receive a per diem in the amount provided for in 245 subsection (2) of this section, to be paid from the county general 246 fund, for every day or period of no less than five (5) hours 247 accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or 248 actually employed in the performance of their duties for the 249 250 necessary time spent in the revision of the county voter roll as 251 electronically maintained by the Statewide Elections Management 252 System as required in subsection (1) of this section, not to 253 exceed five (5) days.

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

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

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- general or special election. The annual limitations set forth in subsection (2) of this section shall apply to this paragraph.
- 272 The election commissioners shall be entitled to receive 273 a per diem in the amount of One Hundred Ten Dollars (\$110.00), to 274 be paid from the county general fund, not to exceed fourteen (14) 275 days for every day or period of no less than five (5) hours 276 accumulated over two (2) or more days actually employed in the 277 performance of their duties for the necessary time spent in the 278 revision of the county voter roll as electronically maintained by 279 the Statewide Elections Management System and in the conduct of a
- 281 (6) The election commissioners shall be entitled to receive 282 only one (1) per diem payment for those days when the election 283 commissioners discharge more than one (1) duty or responsibility 284 on the same day.

runoff election following either a general or special election.

- (7) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, not to exceed five (5) days for every day or period of no less than five (5) hours accumulated over two (2) or more days for those days when the election commissioners shall be required to conduct an audit of an election as provided in Section 23-15-615.
- 292 (8) In preparation for a municipal primary, runoff, general 293 or special election, the county registrar shall generate and 294 distribute the master voter roll and pollbooks from the Statewide

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- 295 Elections Management System for the municipality located within 296 the county. The municipality shall pay the county registrar for 297 the actual cost of preparing and printing the municipal master 298 voter roll pollbooks. A municipality may secure "read only" 299 access to the Statewide Elections Management System and print its 300 own pollbooks using this information.
 - (9) County election commissioners who perform the duties of an executive committee with regard to the conduct of a primary election under a written agreement authorized by law to be entered into with an executive committee shall receive per diem as provided for in subsection (2) of this section. The days that county election commissioners are employed in the conduct of a primary election shall be treated the same as days county election commissioners are employed in the conduct of other elections.
 - In addition to any per diem authorized by this section, any election commissioner shall be entitled to the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel on election day.
 - Every election commissioner shall sign personally a (11)certification setting forth the number of hours actually worked in the performance of the commissioner's official duties and for which the commissioner seeks compensation. The certification must be on a form as prescribed in this subsection. The commissioner's signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

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	certificat	ion form	n shall b	e as follows	:	
		COUNTY E	LECTION	COMMISSIONER		
		PER	DIEM CLA	AIM FORM		
NAME:				COUNTY:		
ADDRESS:				DISTRICT:		
CITY:		_ ZIP:		_		
			PURPOSE	APPLICABLE	ACTUAL E	PER DIEM
DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED
TOTAL NU	MBER OF PER	DIEM DA	YS EARNE	D		
EXC	LUDING ELEC	TION DAY				
PER DIEM	RATE PER D	AY EARNE	lD	X \$11	0.00	
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FOR	ELECTION D	AYS				
PER DIEM	. RATE PER D	AY EARNE	ZD	X \$16	5.00	
	OUNT OF PER			X \$16	5.00 \$	
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346	Commissioner's Signature
347	When properly completed and signed, the certification must be
348	filed with the clerk of the county board of supervisors before any
349	payment may be made. The certification will be a public record
350	available for inspection and reproduction immediately upon the
351	oral or written request of any person.
352	Any person may contest the accuracy of the certification in
353	any respect by notifying the chair of the commission, any member
354	of the board of supervisors or the clerk of the board of
355	supervisors of the contest at any time before or after payment is
356	made. If the contest is made before payment is made, no payment
357	shall be made as to the contested certificate until the contest is
358	finally disposed of. The person filing the contest shall be
359	entitled to a full hearing, and the clerk of the board of
360	supervisors shall issue subpoenas upon request of the contestor
361	compelling the attendance of witnesses and production of documents
362	and things. The contestor shall have the right to appeal de novo
363	to the circuit court of the involved county, which appeal must be
364	perfected within thirty (30) days from a final decision of the
365	commission, the clerk of the board of supervisors or the board of
366	supervisors, as the case may be.
367	Any contestor who successfully contests any certification
368	will be awarded all expenses incident to his or her contest,
369	together with reasonable attorney's fees, which will be awarded

- 370 upon petition to the chancery court of the involved county upon
- 371 final disposition of the contest before the election commission,
- 372 board of supervisors, clerk of the board of supervisors, or, in
- 373 case of an appeal, final disposition by the court. The
- 374 commissioner against whom the contest is decided shall be liable
- 375 for the payment of the expenses and attorney's fees, and the
- 376 county shall be jointly and severally liable for same.
- 377 (12) Any election commissioner who has not received a
- 378 certificate issued by the Secretary of State pursuant to Section
- 379 23-15-211 indicating that the election commissioner has received
- 380 the required elections seminar instruction and that the election
- 381 commissioner is fully qualified to conduct an election, shall not
- 382 receive any compensation authorized by this section or Section
- 383 23-15-239.
- 384 **SECTION 6.** Section 23-15-165, Mississippi Code of 1972, is
- 385 amended as follows:
- 386 23-15-165. (1) The Office of the Secretary of State, in
- 387 cooperation with the county registrars and election commissioners,
- 388 shall procure, implement and maintain an electronic information
- 389 processing system and programs capable of maintaining a
- 390 centralized database of all registered voters in the state. The
- 391 system shall encompass software and hardware, at both the state
- 392 and county level, software development training, conversion and
- 393 support and maintenance for the system. The Secretary of State
- 394 shall equip the Statewide Elections Management System with

395	appropriate se	curity	meas	sures	to protec	ct j	private	info	rmation	of
396	the registered	l voter	and	the	integrity	of	Mississ	sippi	electio	ons.

- 397 This system shall be known as the "Statewide Elections Management 398 System" and shall constitute the official record of registered
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- 399 voters in every county of the state.
- 400 (2) The Office of the Secretary of State shall develop and 401 implement the Statewide Elections Management System so that the 402 registrar and election commissioners of each county shall:
- 403 (a) Verify that an applicant that is registering to 404 vote in that county is not registered to vote in another county;
- 405 (b) Be notified automatically that a registered voter 406 in its county has registered to vote in another county;
- 407 (c) Receive regular reports of death, changes of
 408 address and convictions for * * * felonies, which cause a voter to
 409 have his or her right to vote suspended, that apply to voters
 410 registered in the county;
- 411 (d) Receive regular reports of voters who have

 412 satisfied all of the sentencing requirements of his or her

 413 conviction and automatically restore the voter's name into the

 414 Statewide Elections Management System, the state's voter roll and

 415 the county's pollbooks;
- (* * * <u>e</u>) Retain all present functionality related to,
 but not limited to, the use of voter roll data and to implement
 such other functionality as the law requires to enhance the

- 419 maintenance of accurate county voter records and related jury 420 selection and redistricting programs; and
- 421 (* * *f) When evidence exists that a registered voter
- 422 may not be a citizen of the United States as provided in Section
- 423 23-15-15, send notification to the registrar of the location where
- 424 the person is registered to vote.
- 425 (3) As a part of the procurement and implementation of the
- 426 system, the Office of the Secretary of State shall, with the
- 427 assistance of the advisory committee, procure services necessary
- 428 to convert current voter registration records in the counties into
- 429 a standard, industry accepted file format that can be used on the
- 430 Statewide Elections Management System. Thereafter, all official
- 431 voter information shall be maintained on the Statewide Elections
- 432 Management System. The standard industry accepted format of data
- 433 was reviewed and approved by a majority of the advisory committee
- 434 created in subsection (5) of this section after consultation with
- 435 the Circuit Clerks Association and the format may not be changed
- 436 without consulting the Circuit Clerks Association.
- 437 (4) The Secretary of State may, with the assistance of the
- 438 advisory committee, adopt rules and regulations necessary to
- 439 administer the Statewide Elections Management System. The rules
- 440 and regulations shall at least:
- 441 (a) Provide for the establishment and maintenance of a
- 442 centralized database for all voter registration information in the
- 443 state;

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

446 Provide security to ensure that only the registrar, or his or her designee or other appropriate official, as the law 447 may require, can add information to, delete information from and 448

modify information in the system;

- 450 Provide the registrar or his or her designee or 451 other appropriate official, as the law may require, access to the 452 system at all times, including the ability to download copies of 453 the industry standard file, for all purposes related to their official duties, including, but not limited to, exclusive access 454 455 for the purpose of printing all local pollbooks;
- 456 Provide security and protection of all information 457 in the system and monitor the system to ensure that unauthorized 458 access is not allowed;
- 459 (f) Provide a procedure that will allow the registrar, 460 or his or her designee or other appropriate official, as the law may require, to identify the precinct to which a voter should be 461 462 assigned; and
- 463 Provide a procedure for phasing in or converting (a) 464 existing manual and computerized voter registration systems in 465 counties to the Statewide Elections Management System.
- 466 The Secretary of State established an advisory committee 467 to assist in developing system specifications, procurement, 468 implementation and maintenance of the Statewide Elections

- 469 Management System. The committee included two (2) representatives
- 470 from the Circuit Clerks Association, appointed by the association;
- 471 two (2) representatives from the Election Commissioners
- 472 Association of Mississippi, appointed by the association; one (1)
- 473 member of the Mississippi Association of Supervisors, or its
- 474 staff, appointed by the association; the Director of the Stennis
- 475 Institute of Government at Mississippi State University, or his or
- 476 her designee; the Executive Director of the Department of
- 477 Information Technology Services, or his or her designee; two (2)
- 478 persons knowledgeable about elections and information technology
- 479 appointed by the Secretary of State; and the Secretary of State,
- 480 who shall serve as the chair of the advisory committee.
- 481 (6) (a) Social security numbers, telephone numbers, email
- 482 addresses, and date of birth and age information in statewide,
- 483 district, county and municipal voter registration files shall be
- 484 exempt from and shall not be subject to inspection, examination,
- 485 copying or reproduction under the Mississippi Public Records Act
- 486 of 1983.
- 487 (b) Copies of statewide, district, county or municipal
- 488 voter registration files, excluding social security numbers,
- 489 telephone numbers, email addresses, and date of birth and age
- 490 information, shall be provided to any person in accordance with
- 491 the Mississippi Public Records Act of 1983 at a cost not to exceed
- 492 the actual cost of production.

- 493 **SECTION 7.** Section 97-39-3, Mississippi Code of 1972, is 494 brought forward as follows:
- 495 97-39-3. If any person shall fight a duel, or give or accept 496 a challenge to fight a duel, or knowingly carry or deliver such 497 challenge or the acceptance thereof, or be second to either party 498 to any duel, whether such act be done in the state or out of it, 499 or who shall go out of the state to fight a duel, or to assist in 500 the same as second, or to send, accept, or carry a challenge, 501 shall be disqualified from holding any office, be disenfranchised, and incapable of holding or being elected to any post of honor, 502 503 profit or emolument, civil or military, under the constitution and 504 laws of this state; and the appointment of any such person to 505 office, as also all votes given to any such person, are illegal, 506 and none of the votes given to such person for any office shall be 507 taken or counted.
- SECTION 8. Section 99-19-37, Mississippi Code of 1972, is brought forward as follows:
- 510 99-19-37. (1) Any person who has lost the right of suffrage 511 by reason of conviction of crime and has not been pardoned 512 therefrom, who thereafter served honorably in any branch of the 513 Armed Forces of the United States during the periods of World War 514 I or World War II as hereinafter defined and shall have received 515 an honorable discharge, or release therefrom, shall by reason of 516 such honorable service, have the full right of suffrage restored,

517	provided,	however,	this	does	not	apply	to	any	one	having	an
518	unfinishe	d or suspe	ended	sente	ence.						

- 519 (2) For the purposes of this section the period of World War 520 I shall be from April 6, 1917 to December 1, 1918, and the period 521 of World War II shall be from December 7, 1941 to December 31, 522 1946.
- 523 In order to have restored, and to exercise, the right of (3) 524 franchise under the provisions of this section a person affected 525 hereby shall have his discharge, or release, from the Armed Forces of the United States recorded in the office of the chancery clerk 526 527 of the county in which such person desires to exercise the right 528 of franchise and if such discharge, or release, appears to be an 529 honorable discharge, or release, and shows such person to have 530 served honorably during either of the periods stated in subsection 531 (2) of this section such person shall have the full right of 532 suffrage restored as though an act had been passed by the 533 Legislature in accordance with Section 253 of the Constitution of the State of Mississippi restoring the right of suffrage to such 534 535 person.
- SECTION 9. This act shall take effect and be in force from and after July 1 in the year following the year in which the Secretary of State certifies the passage of the constitutional amendment proposed in House Concurrent Resolution No. ____, 2025
 Regular Session.

