

By: Senator(s) Norwood

To: Judiciary, Division B;
Constitution

SENATE BILL NO. 2772

1 AN ACT TO PROVIDE THAT THE GOVERNOR MAY RESTORE THE RIGHT OF
2 SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION
3 OF A DISENFRANCHISING CRIME; TO PROVIDE THAT A PERSON SHALL BE
4 ENFRANCHISED AFTER COMPLETING ANY SENTENCE AND PAYING ANY FINES
5 IMPOSED BY THE SENTENCING COURT FOR SUCH CRIME; TO REQUIRE THE
6 MISSISSIPPI DEPARTMENT OF CORRECTIONS OR THE SENTENCING COURT,
7 WHICHEVER IS APPROPRIATE, TO ISSUE A WRITTEN REPORT TO THE
8 GOVERNOR ON PERSONS WHO MEET THE REQUISITE CONDITIONS FOR
9 RESTORATION OF SUFFRAGE RIGHTS; TO AMEND SECTION 23-15-11,
10 MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19,
11 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO PRESENTS AN
12 EXECUTIVE ORDER RESTORING THE RIGHT OF SUFFRAGE SHALL NOT BE
13 DENIED THE RIGHT TO REGISTER TO VOTE BASED ON A CONVICTION OF A
14 DISENFRANCHISING CRIME; TO AMEND SECTION 23-15-151, MISSISSIPPI
15 CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK SHALL KEEP A FILE
16 OF CERTIFIED COPIES OF EXECUTIVE ORDERS RESTORING SUFFRAGE RIGHTS;
17 TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF
18 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED
19 IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39
20 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE
21 SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS
22 WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE BY
23 EXECUTIVE ORDER IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO
24 AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT
25 THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS
26 MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION
27 OFFICIALS TO VERIFY WHETHER A PERSON HAS BEEN ISSUED AN EXECUTIVE
28 ORDER RESTORING SUFFRAGE RIGHTS; TO AMEND SECTIONS 47-7-31,
29 47-7-41 AND 47-5-157, MISSISSIPPI CODE OF 1972, TO REQUIRE THE
30 DEPARTMENT OF CORRECTIONS TO INVESTIGATE AND ISSUE REGULAR WRITTEN
31 REPORTS TO THE GOVERNOR ON THOSE PERSONS WHO SHOULD BE CONSIDERED
32 FOR EXECUTIVE PARDON; TO CREATE A SECTION OF LAW TO PROVIDE THAT
33 ANY PERSON GRANTED AN EXECUTIVE PARDON SHALL BE ENTITLED TO HAVE
34 HIS OR HER RECORD EXPUNGED; AND FOR RELATED PURPOSES.



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

SECTION 1. (1) The Governor, by appropriate executive order, is authorized to restore the right of suffrage to any person disqualified by reason of conviction for vote fraud or any crime listed in Section 241, Mississippi Constitution of 1890, when all of the following conditions are met:

(a) The person has completed the sentence imposed by the court of original jurisdiction upon conviction of the disenfranchising crime, including the service of any term of incarceration, parole, probation and post-release supervision; and

(b) The person has paid all fees and fines imposed by the court of original jurisdiction upon conviction of the disenfranchising crime.

(2) A person enfranchised under subsection (1) of this section has the full right of suffrage as though an act had been passed by the Legislature in accordance with Section 253, Mississippi Constitution of 1890, restoring the right of suffrage to the person.

SECTION 2. (1) An executive order restoring the right of suffrage shall be sufficient evidence to prove that a person is not disqualified to register to vote based on a conviction of a disenfranchising crime. A person who presents an executive order or duly enacted suffrage bill restoring the right of suffrage or who swears and affirms that the person's right of suffrage has been restored as provided in Section 1 of this act shall not be



denied the right to register to vote or to cast a ballot based upon a conviction of a disenfranchising crime.

(2) At a minimum, the executive order restoring the right of suffrage shall provide as follows:

(a) The person to whom the executive order is issued has satisfied the conditions imposed in Section 1(1) of this act; and

(b) The court records and the records of the Mississippi Department of Corrections indicate that the person has not been convicted of another disenfranchising offense other than the one subject to the executive order.

(3) Upon issuance of a executive order restoring the right of suffrage to a person, the Governor or other designated state official shall forward a certified copy of the executive order to the registrar in the county in which the person resides or desires to be a qualified elector.

SECTION 3. (1) When a person is discharged or released as provided in Section 47-5-157, the Mississippi Department of Corrections shall automatically provide to the Governor a written report on any person who meets the conditions set forth in Section 1(1) of this act. When a person is discharged from probation as provided in Section 47-7-41, the court of original jurisdiction shall automatically provide to the Governor a written report on any person who meets the conditions set forth in Section 1(1) of this act. The written report shall include the information



required for the executive order as set forth in Section 2 of this act.

(2) A person who satisfied the conditions set forth in Section 1(1) of this act on or before July 1, 2020, may submit a written request to the department or the court of original jurisdiction for the case in which the person was convicted of a disenfranchising crime. The department or the court shall each have the duty and responsibility to determine if it is the appropriate authority to issue the written report on the person, to review the person's record, and to respond to the request. The department or court shall respond to the person's request within forty-five (45) days of receipt. If the person meets the conditions set forth in Section 1(1) of this act, the person's written report shall be provided to the Governor within forty-five (45) days of receiving the initial request.

SECTION 4. Section 23-15-11, Mississippi Code of 1972, is amended as follows:

23-15-11. Every inhabitant of this state, except persons adjudicated to be non compos mentis, who is a citizen of the United States of America, eighteen (18) years old and upwards, who has resided in this state for thirty (30) days and for thirty (30) days in the county in which he or she seeks to vote, and for thirty (30) days in the incorporated municipality in which he or she seeks to vote, and who has been duly registered as an elector under Section 23-15-33, and who * * *, if convicted of vote fraud



or of any crime listed in Section 241, Mississippi Constitution of 1890, has been restored the right of suffrage by executive order as provided in Section 1 of this act or by act of the Legislature under Section 253, Mississippi Constitution of 1890, shall be a qualified elector in and for the county, municipality and voting precinct of his or her residence, and shall be entitled to vote at any election upon compliance with Section 23-15-563. If the thirtieth day to register before an election falls on a Sunday or legal holiday, the registration applications submitted on the business day immediately following the Sunday or legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling voters to vote in the next election. Any person who will be eighteen (18) years of age or older on or before the date of the general election and who is duly registered to vote not less than thirty (30) days before the primary election associated with the general election, may vote in the primary election even though the person has not reached his or her eighteenth birthday at the time that the person seeks to vote at the primary election. No others than those specified in this section shall be entitled, or shall be allowed, to vote at any election.

SECTION 5. Section 23-15-19, Mississippi Code of 1972, is amended as follows:

23-15-19. (1) Except as provided in subsection (2) of this section, any person who has been convicted of vote fraud or any



crime listed in Section 241, Mississippi Constitution of 1890, such crimes defined as "disenfranchising," shall not be registered, or if registered the name of the person shall be removed from the Statewide Elections Management System by the registrar or the election commissioners of the county of his or her residence. Whenever any person shall be convicted in the circuit court of his or her county of a disenfranchising crime, the county registrar shall thereupon remove his or her name from the Statewide Elections Management System; and whenever any person shall be convicted of a disenfranchising crime in any other court of any county, the presiding judge of the court shall, on demand, certify the fact in writing to the registrar of the county in which the voter resides, who shall thereupon remove the name of the person from the Statewide Elections Management System and retain the certificate as a record of his or her office.

(2) A person who presents to the registrar a suffrage bill or an executive order restoring the right of suffrage shall not be denied the right to register to vote based on that conviction of a disenfranchising crime. A person who swears and affirms that the person has been restored the right of suffrage shall not be denied the right to register to vote based on that conviction of a disenfranchising crime.

SECTION 6. Section 23-15-151, Mississippi Code of 1972, is amended as follows:



23-15-151. (1) 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 * * * vote fraud or of any crime listed in Section 241, Mississippi Constitution of 1890, who has not been restored the right of suffrage. 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 * * * vote 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, shall also be entered into the Statewide Elections Management System on a quarterly basis. Except as provided in Section 1 of this act, Section 23-15-19 and Section 253 of the Mississippi Constitution of 1890, voters who have been convicted in a Mississippi state court of any disenfranchising crime are not qualified electors as defined by Section 23-15-11 and shall be purged or otherwise removed by the county registrar or county election commissioners from the Statewide Elections Management System.

(2) The circuit clerk of each county is authorized and directed to keep in the clerk's office, in alphabetical order, the certified copies of suffrage bills and of executive orders restoring the right of suffrage provided to the clerk as set forth in Section 2 of this act. A certified copy of any executive order



by one clerk to another will be sufficient authority for purposes of Section 23-15-19(2) in another county.

SECTION 7. Section 23-15-125, Mississippi Code of 1972, is amended as follows:

23-15-125. The pollbook of each voting precinct shall designate the voting precinct for which it is to be used, and shall be ruled in appropriate columns, with printed or written headings, as follows: date of registration; voter registration number; name of electors; date of birth; and a number of blank columns for the dates of elections. All qualified applicants who register with the registrar shall be entered in the Statewide Elections Management System. Only the names of those qualified applicants who register within thirty (30) days before an election shall appear on the pollbooks of the election; however, if the thirtieth day to register before an election falls on a Sunday or legal holiday, the registration applications submitted on the business day immediately following the legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling voters to vote in the next election. When county election commissioners determine that any elector is disqualified from voting, by reason of death, conviction of a disenfranchising crime if the right of suffrage has not been restored, removal from the jurisdiction, failure to comply with the provisions of Section 23-15-152, or other legal cause, that fact shall be noted in the Statewide Elections Management System



and the voter's name shall be purged from the Statewide Elections Management System, the state's voter roll and the county's pollbooks. Nothing in this section shall preclude the use of electronic pollbooks.

SECTION 8. Section 23-15-153, Mississippi Code of 1972, is amended as follows:

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

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

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



233 (c) On the first Monday in the month immediately
234 preceding the first primary election for state, state district
235 legislative, county and county district offices in the years in
236 which those offices are elected; and

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

240 Except for the names of those voters who are duly qualified
241 to vote in the election, no name shall be permitted to remain in
242 the Statewide Elections Management System; however, no name shall
243 be purged from the Statewide Elections Management System based on
244 a change in the residence of an elector except in accordance with
245 procedures provided for by the National Voter Registration Act of
246 1993 and as provided in Section 23-15-152. Except as otherwise
247 provided by Section 23-15-573, no person shall vote at any
248 election whose name is not in the county voter roll electronically
249 maintained by the Statewide Elections Management System.

250 (2) Except as provided in this section, and subject to the
251 following annual limitations, the election commissioners shall be
252 entitled to receive a per diem in the amount of One Hundred Ten
253 Dollars (\$110.00), to be paid from the county general fund, for
254 every day or period of no less than five (5) hours accumulated
255 over two (2) or more days actually employed in the performance of
256 their duties in the conduct of an election or actually employed in
257 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 as required in subsection (1) of this section:

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

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

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

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



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

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

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

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than 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;



308 (h) In counties having two hundred twenty-five thousand
309 (225,000) residents according to the latest federal decennial
310 census but less than two hundred fifty thousand (250,000)
311 residents according to the latest federal decennial census, not
312 more than two hundred fifteen (15) days per year, with no more
313 than eighty-five (85) additional days allowed for the conduct of
314 each election in excess of one (1) occurring in any calendar year;

315 (i) In counties having two hundred fifty thousand
316 (250,000) residents according to the latest federal decennial
317 census but less than two hundred seventy-five thousand (275,000)
318 residents according to the latest federal decennial census, not
319 more than two hundred thirty (30) days per year, with no more
320 than ninety-five (95) additional days allowed for the conduct of
321 each election in excess of one (1) occurring in any calendar year;

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

328 (3) In addition to the number of days authorized in
329 subsection (2) of this section, the board of supervisors of a
330 county may authorize, in its discretion, the election
331 commissioners to receive a per diem in the amount provided for in
332 subsection (2) of this section, to be paid from the county general



333 fund, for every day or period of no less than five (5) hours
334 accumulated over two (2) or more days actually employed in the
335 performance of their duties in the conduct of an election or
336 actually employed in the performance of their duties for the
337 necessary time spent in the revision of the county voter roll as
338 electronically maintained by the Statewide Elections Management
339 System as required in subsection (1) of this section, not to
340 exceed five (5) days.

341 (4) (a) The election commissioners shall be entitled to
342 receive a per diem in the amount of One Hundred Ten Dollars
343 (\$110.00), to be paid from the county general fund, not to exceed
344 ten (10) days for every day or period of no less than five (5)
345 hours accumulated over two (2) or more days actually employed in
346 the performance of their duties for the necessary time spent in
347 the revision of the county voter roll as electronically maintained
348 by the Statewide Elections Management System before any special
349 election. For purposes of this paragraph, the regular special
350 election day shall not be considered a special election. The
351 annual limitations set forth in subsection (2) of this section
352 shall not apply to this paragraph.

353 (b) The election commissioners shall be entitled to
354 receive a per diem in the amount of One Hundred Sixty-five Dollars
355 (\$165.00), to be paid from the county general fund, for the
356 performance of their duties on the day of any primary, runoff,



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

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

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

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

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



Elections Management System for the municipality located within the county. The municipality shall pay the county registrar for the actual cost of preparing and printing the municipal master voter roll pollbooks. A municipality may secure "read only" access to the Statewide Elections Management System and print its 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.

(10) 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.

(11) Every election commissioner shall sign personally a 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.



407 The certification form shall be as follows:

408 **COUNTY ELECTION COMMISSIONER**

409 **PER DIEM CLAIM FORM**

410 NAME: _____ COUNTY: _____

411 ADDRESS: _____ DISTRICT: _____

412 CITY: _____ ZIP: _____

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

416 _____

417 _____

418 _____

419 TOTAL NUMBER OF PER DIEM DAYS EARNED

420 EXCLUDING ELECTION DAYS _____

421 PER DIEM RATE PER DAY EARNED X \$110.00

422 TOTAL NUMBER PER DIEM DAYS EARNED

423 FOR ELECTION DAYS _____

424 PER DIEM RATE PER DAY EARNED X \$165.00

425 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

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

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

431 Signed this the _____ day of _____, ____.



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



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

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

SECTION 9. Section 23-15-39, Mississippi Code of 1972, is amended as follows:

23-15-39. (1) Applications for registration as electors of this state, which are sworn to and subscribed before the registrar or deputy registrar authorized by law and which are not made by mail, shall be made upon a form established by rule duly adopted by the Secretary of State. The application shall state that a person who has been restored the right of suffrage by executive order as provided in Section 1 of this act, by gubernatorial pardon, or by legislative act, is not disqualified to register to vote under Section 23-15-11.



482 (2) The boards of supervisors shall make proper allowances
483 for office supplies reasonably necessitated by the registration of
484 county electors.

485 (3) If the applicant indicates on the application that he or
486 she resides within the city limits of a city or town in the county
487 of registration, the county registrar shall process the
488 application for registration or changes to the registration as
489 provided by law.

490 (4) If the applicant indicates on the application that he or
491 she has previously registered to vote in another county of this
492 state or another state, notice to the voter's previous county of
493 registration in this state shall be provided by the Statewide
494 Elections Management System. If the voter's previous place of
495 registration was in another state, notice shall be provided to the
496 voter's previous state of residence if the Statewide Elections
497 Management System has that capability.

498 (5) The county registrar shall provide to the person making
499 the application a copy of the application upon which has been
500 written the county voting precinct and municipal voting precinct,
501 if any, in which the person shall vote. Upon entry of the voter
502 registration information into the Statewide Elections Management
503 System, the system shall assign a voter registration number to the
504 person, and the county registrar shall mail the applicant a voter
505 registration card to the mailing address provided on the
506 application.



507 (6) Any person desiring an application for registration may
508 secure an application from the registrar of the county of which he
509 or she is a resident and may take the application with him or her
510 and secure assistance in completing the application from any
511 person of the applicant's choice. It shall be the duty of all
512 registrars to furnish applications for registration to all persons
513 requesting them, and it shall likewise be the registrar's duty to
514 furnish aid and assistance in the completing of the application
515 when requested by an applicant. The application for registration
516 shall be sworn to and subscribed before the registrar or deputy
517 registrar at the municipal clerk's office, the county registrar's
518 office or any other location where the applicant is allowed to
519 register to vote. The registrar shall not charge a fee or cost to
520 the applicant for accepting the application or administering the
521 oath or for any other duty imposed by law regarding the
522 registration of electors.

523 (7) If the person making the application is unable to read
524 or write, for reason of disability or otherwise, he or she shall
525 not be required to personally complete the application in writing
526 and execute the oath. In such cases, the registrar or deputy
527 registrar shall read the application and oath to the person, and
528 the person's answers thereto shall be recorded by the registrar or
529 the registrar's deputy. The person shall be registered as an
530 elector if he or she otherwise meets the requirements to be
531 registered as an elector. The registrar shall record the



532 responses of the person and the recorded responses shall be
533 retained permanently by the registrar. The county registrar shall
534 enter the voter registration information into the Statewide
535 Elections Management System and designate the entry as an assisted
536 filing.

537 (8) The receipt of a copy of the application for
538 registration sent pursuant to Section 23-15-35(2) shall be
539 sufficient to allow the applicant to be registered as an elector
540 of this state, if the application is not challenged.

541 (9) In any case in which the corporate boundaries of a
542 municipality change, whether by annexation or redistricting, the
543 municipal clerk shall, within ten (10) days after approval of the
544 change in corporate boundaries, provide to the county registrar
545 conforming geographic data that is compatible with the Statewide
546 Elections Management System. The data shall be developed by the
547 municipality's use of a standardized format specified by the
548 Statewide Elections Management System. The county registrar,
549 county election commissioner or other county official, who has
550 completed an annual training seminar sponsored by the Secretary of
551 State pertaining to the implementation of new boundary lines in
552 the Statewide Elections Management System and received
553 certification for that training, shall update the municipal
554 boundary information into the Statewide Elections Management
555 System. The Statewide Elections Management System updates the
556 municipal voter registration records and assigns electors to their



municipal voting precincts. The county registrar shall forward to the municipal clerk written notification of the additions and changes, and the municipal clerk shall forward to the affected municipal electors written notification of the additions and changes.

SECTION 10. Section 23-15-47, Mississippi Code of 1972, is amended as follows:

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

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

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

(b) Upon receipt of a mail-in application, the county registrar shall stamp the application with the date of receipt, and shall verify the application either by matching the



582 applicant's Mississippi driver's license number through the
583 Mississippi Department of Public Safety or by matching the
584 applicant's social security number through the American
585 Association of Motor Vehicle Administrators. Within fourteen (14)
586 days of receipt of a mail-in registration application, the county
587 registrar shall complete action on the application, including any
588 attempts to notify the applicant of the status of his or her
589 application.

590 (c) If the county registrar determines that the
591 applicant is qualified and his or her application is legible and
592 complete, the county registrar shall mail the applicant written
593 notification that the application has been approved, specifying
594 the county voting precinct, municipal voting precinct, if any,
595 polling place and supervisor district in which the person shall
596 vote. This written notification of approval containing the
597 specified information shall be the voter's registration card. The
598 registration card shall be provided by the county registrar to the
599 applicant in accordance with Section 23-15-39. Upon entry of the
600 voter registration information into the Statewide Elections
601 Management System, the system shall assign a voter registration
602 number to the applicant. The assigned voter registration number
603 shall be clearly shown on the written notification of approval.
604 In mailing the written notification, the county registrar shall
605 note the following on the envelope: "DO NOT FORWARD". If any



606 registration notification form is returned as undeliverable, the
607 voter's registration shall be void.

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

610 (i) An incomplete portion of the application makes
611 it impossible for the registrar to determine the eligibility of
612 the applicant to register;

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

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

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

622 (v) The county registrar determines that the
623 applicant is already registered as a qualified elector of the
624 county;

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

627 (e) If the mail-in application of a person is subject
628 to rejection for any of the reasons set forth in paragraph (d)(i)
629 through (iii) of this subsection, and it appears to the county
630 registrar that the defect or omission is of such a minor nature



631 and that any necessary additional information may be supplied by
632 the applicant over the telephone or by further correspondence, the
633 county registrar may write or call the applicant at the telephone
634 number or address, or both, provided on the application. If the
635 county registrar is able to contact the applicant by mail or
636 telephone, the county registrar shall attempt to ascertain the
637 necessary information, and if this information is sufficient for
638 the registrar to complete the application, the applicant shall be
639 registered. If the necessary information cannot be obtained by
640 mail or telephone, or is not sufficient to complete the
641 application within fourteen (14) days of receipt, the county
642 registrar shall give the applicant written notice of the rejection
643 and provide the reason for the rejection. The county registrar
644 shall further inform the applicant that he or she has a right to
645 attempt to register by appearing in person or by filing another
646 mail-in application.

647 (f) If a mail-in application is subject to rejection
648 for the reason stated in paragraph (d)(v) of this subsection and
649 the "present home address" portion of the application is different
650 from the residence address for the applicant found in the
651 Statewide Elections Management System, the mail-in application
652 shall be deemed a written request to update the voter's
653 registration pursuant to Section 23-15-13. The county registrar
654 or the election commissioners shall update the voter's residence
655 address in the Statewide Elections Management System and, if



necessary, advise the voter of a change in the location of his or her county or municipal polling place by mailing the voter a new voter registration card.

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

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

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

(c) Bulk quantities of forms for application for voter registration by mail shall be furnished by the Secretary of State to any person or organization. The Secretary of State shall charge a person or organization the actual cost he or she incurs



681 in providing bulk quantities of forms for application for voter
682 registration to such person or organization.

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

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

690 (7) If the applicant indicates on the application that he or
691 she has previously registered to vote in another county of this
692 state or another state, notice to the voter's previous county of
693 registration in this state shall be provided through the Statewide
694 Elections Management System. If the voter's previous place of
695 registration was in another state, notice shall be provided to the
696 voter's previous state of residence.

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

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

702 23-15-165. (1) The Office of the Secretary of State, in
703 cooperation with the county registrars and election commissioners,
704 shall procure, implement and maintain an electronic information
705 processing system and programs capable of maintaining a



706 centralized database of all registered voters in the state. The
707 system shall encompass software and hardware, at both the state
708 and county level, software development training, conversion and
709 support and maintenance for the system. The Secretary of State
710 shall equip the Statewide Elections Management System with
711 appropriate security measures to protect private information of
712 the registered voter and the integrity of Mississippi elections.
713 This system shall be known as the "Statewide Elections Management
714 System" and shall constitute the official record of registered
715 voters in every county of the state.

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

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

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

723 (c) Receive regular reports of death, changes of
724 address and convictions for disenfranchising crimes that apply to
725 voters registered in the county;

726 (d) Receive regular reports of executive orders
727 restoring the right of suffrage issued as provided in Section 2 of
728 this act;

729 (* * *e) Retain all present functionality related to,
730 but not limited to, the use of voter roll data and to implement



731 such other functionality as the law requires to enhance the
732 maintenance of accurate county voter records and related jury
733 selection and redistricting programs; and

734 (* * *f) When evidence exists that a registered voter
735 may not be a citizen of the United States as provided in Section
736 23-15-15, send notification to the registrar of the location where
737 the person is registered to vote.

738 (3) As a part of the procurement and implementation of the
739 system, the Office of the Secretary of State shall, with the
740 assistance of the advisory committee, procure services necessary
741 to convert current voter registration records in the counties into
742 a standard, industry accepted file format that can be used on the
743 Statewide Elections Management System. Thereafter, all official
744 voter information shall be maintained on the Statewide Elections
745 Management System. The standard industry accepted format of data
746 was reviewed and approved by a majority of the advisory committee
747 created in subsection (5) of this section after consultation with
748 the Circuit Clerks Association, and the format may not be changed
749 without consulting the Circuit Clerks Association.

750 (4) The Secretary of State may, with the assistance of the
751 advisory committee, adopt rules and regulations necessary to
752 administer the Statewide Elections Management System. The rules
753 and regulations shall at least:



754 (a) Provide for the establishment and maintenance of a
755 centralized database for all voter registration information in the
756 state;

757 (b) Provide procedures for integrating data into the
758 centralized database;

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

763 (d) Provide the registrar or his or her designee or
764 other appropriate official, as the law may require, access to the
765 system at all times, including the ability to download copies of
766 the industry standard file, for all purposes related to their
767 official duties, including, but not limited to, exclusive access
768 for the purpose of printing all local pollbooks;

769 (e) Provide security and protection of all information
770 in the system and monitor the system to ensure that unauthorized
771 access is not allowed;

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

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



(5) The Secretary of State established an advisory committee to assist in developing system specifications, procurement, implementation and maintenance of the Statewide Elections Management System. The committee included two (2) representatives from the Circuit Clerks Association, appointed by the association; two (2) representatives from the Election Commissioners Association of Mississippi, appointed by the association; one (1) member of the Mississippi Association of Supervisors, or its staff, appointed by the association; the Director of the Stennis Institute of Government at Mississippi State University, or his or her designee; the Executive Director of the Department of Information Technology Services, or his or her designee; two (2) persons knowledgeable about elections and information technology appointed by the Secretary of State; and the Secretary of State, who shall serve as the chair of the advisory committee.

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

(b) Copies of statewide, district, county or municipal voter registration files, excluding social security numbers, telephone numbers, email addresses, and date of birth and age information, shall be provided to any person in accordance with



804 the Mississippi Public Records Act of 1983 at a cost not to exceed
805 the actual cost of production.

806 **SECTION 12.** Section 47-7-31, Mississippi Code of 1972, is
807 amended as follows:

808 47-7-31. (1) Upon request of the Governor, the Department
809 of Corrections shall investigate and report to him with respect to
810 any case of pardon, commutation of sentence, reprieve, furlough or
811 remission of fine or forfeiture.

812 (2) At least once each quarter, the department shall
813 investigate and report in writing to the Governor the names of
814 those persons either in the department's custody or discharged
815 from the department's custody who should be considered for a
816 pardon, commutation of sentence, reprieve, furlough or remission
817 of fine or forfeiture.

818 (3) Any attorney of record in the State of Mississippi
819 representing any person whose record is before the department
820 shall have the right to inspect such records on file with the
821 department.

822 **SECTION 13.** Section 47-7-41, Mississippi Code of 1972, is
823 amended as follows:

824 47-7-41. When a probationer shall be discharged from
825 probation by the court of original jurisdiction, the field
826 supervisor * * * shall automatically forward a written report of
827 the record of the probationer to the Division of Community
828 Corrections of the department, which shall present a copy of this



report to the Governor. The Governor may, in his discretion, at any time thereafter by appropriate executive order restore any civil rights, including any right of suffrage, lost by the probationer by virtue of his conviction or plea of guilty in the court of original jurisdiction.

SECTION 14. Section 47-5-157, Mississippi Code of 1972, is amended as follows:

47-5-157. (1) (a) When an offender is entitled to a discharge from the custody of the department, or is released therefrom on parole, pardon, or otherwise, the commissioner or his designee shall prepare and deliver to him a written discharge or release, as the case may be, dated and signed by him with seal annexed, giving the offender's name, the name of the offense or offenses for which he was convicted, the term of sentence imposed and the date thereof, the county in which he was sentenced, the amount of commutation received, if any, the trade he has learned, if any, his proficiency in same, and such description of the offender as may be practicable and the discharge plan developed as required by law. At least fifteen (15) days prior to the release of an offender as described herein, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177.

(b) Additionally, the department shall automatically forward a copy of the written discharge or release to the Governor. The Governor may, in his discretion, at any time



854 thereafter by appropriate executive order, restore any civil
855 rights, including any right of suffrage, lost by the person by
856 virtue of his or her conviction or plea of guilty in the court of
857 original jurisdiction.

858 (2) The offender shall be furnished:

- 859 (a) A Mississippi driver's license, if eligible;
860 (b) A provisional license under Section 63-1-305; or
861 (c) A state identification card that is not a
862 department-issued identification card.

863 The offender shall also be furnished all money held to his
864 credit by any official of the correctional system and, if needed,
865 suitable civilian clothes.

866 (3) The amount of money which an offender is entitled to
867 receive from the State of Mississippi when he is discharged from
868 the state correctional system shall be determined as follows:

869 (a) If he has continuously served his sentence in one
870 (1) year or less flat time, he shall be given Fifteen Dollars
871 (\$15.00).

872 (b) If he has served his sentence in more than one (1)
873 year flat time and in less than ten (10) years flat time, he shall
874 be given Twenty-five Dollars (\$25.00).

875 (c) If he has continuously served his sentence in ten
876 (10) or more years flat time, he shall be given Seventy-five
877 Dollars (\$75.00).



878 (d) If he has continuously served his sentence in
879 twenty (20) or more years flat time, he shall be given One Hundred
880 Dollars (\$100.00).

881 (e) There shall be given in addition to the above
882 specified monies in paragraphs (a), (b), (c) and (d) of this
883 subsection, a bus ticket to the county of conviction or to a state
884 line of Mississippi.

885 **SECTION 15.** Upon petition therefor, a justice, county,
886 circuit or municipal court shall expunge the record of any such
887 conviction from all public records in any case in which a full
888 pardon was made by the Governor.

889 **SECTION 16.** This act shall take effect and be in force from
890 and after July 1, 2025.

