

By: Representative Ketchings

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 4

1 A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTION 241  
2 AND SECTION 253, MISSISSIPPI CONSTITUTION OF 1890, TO DELETE THE  
3 ENUMERATION OF SPECIFIC FELONIES, CONVICTION OF WHICH WILL  
4 PRECLUDE A PERSON FROM BEING DECLARED A QUALIFIED ELECTOR; TO  
5 PROVIDE THAT A PERSON WHO HAS BEEN CONVICTED IN A COURT OF THIS  
6 STATE OR ANY OTHER STATE OR IN ANY FEDERAL COURT OF ANY FELONY OR  
7 WHO HAS SERVED A TERM OF IMPRISONMENT FOR CONVICTION OF AN OFFENSE  
8 UNDER THE LAWS OF THIS STATE, ANOTHER STATE OR THE UNITED STATES  
9 PRECLUDES THAT PERSON FROM BEING DECLARED A QUALIFIED ELECTOR; TO  
10 PROVIDE THAT THE RIGHT OF SUFFRAGE OF ANY PERSON WHO HAS BECOME  
11 DISQUALIFIED AS AN ELECTOR BY REASON OF CONVICTION OF AN OFFENSE  
12 OR IMPRISONMENT SHALL BE RESTORED, BY OPERATION OF LAW,  
13 IMMEDIATELY UPON COMPLETION OF HIS SENTENCE AND ALL CONDITIONS  
14 IMPOSED UPON HIM FOR SUCH CONVICTION; AND FOR RELATED PURPOSES.

15 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF  
16 MISSISSIPPI, That the following amendments to the Mississippi  
17 Constitution of 1890 are proposed to the qualified electors of the  
18 state:

19 I.

20 Amend Section 241, Mississippi Constitution of 1890, to read  
21 as follows:

22 "Section 241. (1) Every inhabitant of this state, except  
23 idiots and insane persons, who is a citizen of the United States  
24 of America, eighteen (18) years old and upward, who has been a  
25 resident of this state for one (1) year, and for one (1) year in  
26 the county in which he offers to vote, and for six (6) months in  
27 the election precinct or in the incorporated city or town in which  
28 he offers to vote, and who is duly registered as provided in this  
29 article, and who has never been convicted in a court of this state  
30 or any other state or in any federal court of any offense which is  
31 a felony under the laws of the jurisdiction in which the  
32 conviction occurred, and who has never served a term of  
33 imprisonment for conviction of any offense under the laws of this



34 state, another state or the United States, is declared to be a  
35 qualified elector, except that he shall be qualified to vote for  
36 President and Vice President of the United States if he meets the  
37 requirements established by Congress therefor and is otherwise a  
38 qualified elector.

39 (2) This section does not disqualify a person as an elector  
40 if the person was convicted or served a term of imprisonment  
41 before ratification of this amendment for an offense, the  
42 commission of which did not disqualify a person as an elector  
43 under the provisions of this Constitution in effect immediately  
44 before the ratification of this amendment."

45 II.

46 Amend Section 253, Mississippi Constitution of 1890, to read  
47 as follows:

48 "Section 253. The right of suffrage of any person who has  
49 become disqualified as an elector under Section 241 of this  
50 Constitution by reason of conviction of an offense or imprisonment  
51 shall be restored, by operation of law, immediately upon  
52 completion of such person's term of imprisonment, probation,  
53 parole and all other penalties and conditions imposed upon him for  
54 conviction, including all restitution, if any, as ordered by the  
55 sentencing court or judge, provided such person otherwise  
56 qualifies as an elector."

57 BE IT FURTHER RESOLVED, That these proposed amendments shall  
58 be submitted by the Secretary of State to the qualified electors  
59 at an election to be held on the first Tuesday after the first  
60 Monday of November 2002, as provided by Section 273 of the  
61 Constitution and by general law, with the amendments in this  
62 resolution being voted on as one (1) amendment since the proposed  
63 amendments pertain to one (1) subject.

64 BE IT FURTHER RESOLVED, That the explanation of this proposed  
65 amendment for the ballot shall read as follows: "This proposed  
66 constitutional amendment provides that a person loses his right to



67 vote if he is convicted in this state, another state or any  
68 federal court of any felony or of any other offense resulting in  
69 imprisonment. The amendment also provides that such person's  
70 right to vote is restored automatically upon completion of his  
71 sentence and all penalties and conditions imposed upon him for the  
72 conviction, including any restitution ordered by the court or  
73 judge."

74 BE IT FURTHER RESOLVED, That the Attorney General of the  
75 State of Mississippi shall submit this resolution, immediately  
76 upon adoption by the Legislature of the State of Mississippi, to  
77 the Attorney General of the United States or to the United States  
78 District Court for the District of Columbia in accordance with the  
79 provisions of the Voting Rights Act of 1965, as amended and  
80 extended.

