

By: Representative Rotenberry

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 36

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 241, MISSISSIPPI CONSTITUTION OF 1890, TO DELETE THE ENUMERATION
3 OF SPECIFIC FELONIES, CONVICTION OF WHICH WILL PRECLUDE A PERSON
4 FROM BEING DECLARED A QUALIFIED ELECTOR; TO PROVIDE THAT
5 CONVICTION IN A COURT OF THIS STATE OR ANY OTHER STATE OR IN ANY
6 FEDERAL COURT OF ANY FELONY WILL PRECLUDE A PERSON FROM BEING
7 DECLARED A QUALIFIED ELECTOR; TO REVISE CERTAIN LANGUAGE THAT
8 REFERS TO PERSONS WITH MENTAL ILLNESS WHO ARE NOT QUALIFIED TO
9 VOTE; AND FOR RELATED PURPOSES.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
11 MISSISSIPPI, That the following amendment to the Mississippi
12 Constitution of 1890 is proposed to the qualified electors of the
13 state:

14 Amend Section 241, Mississippi Constitution of 1890, to read
15 as follows:

16 "Section 241. Except a person who is judicially declared as
17 mentally ill or mentally incompetent and is involuntarily
18 committed as an inpatient to a hospital, institution or facility
19 for care or treatment of such condition or disorder, every
20 inhabitant of this state * * *, who is a citizen of the United
21 States of America, eighteen (18) years old and upward, who has
22 been a resident of this state for one (1) year, and for one (1)
23 year in the county in which he offers to vote, and for six (6)
24 months in the election precinct or in the incorporated city or
25 town in which he offers to vote, and who is duly registered as
26 provided in this article, and who has never been convicted in a
27 court of this state or any other state or in any federal court of
28 any offense which is a felony under the laws of the jurisdiction
29 in which the conviction occurred, is declared to be a qualified
30 elector, except that he shall be qualified to vote for President



31 and Vice President of the United States if he meets the
32 requirements established by Congress therefor and is otherwise a
33 qualified elector. No person, after the ratification of this
34 amendment, shall be disqualified as an elector by reason of
35 conviction before the ratification of this amendment of any
36 offense unless conviction of the offense would disqualify such
37 person as an elector under the provisions of this Constitution in
38 effect immediately before the ratification of this amendment."

39 BE IT FURTHER RESOLVED, That this proposed amendment shall be
40 submitted by the Secretary of State to the qualified electors at
41 an election to be held on the first Tuesday after the first Monday
42 of November 2002, as provided by Section 273 of the Constitution
43 and by general law.

44 BE IT FURTHER RESOLVED, That the explanation of this proposed
45 amendment for the ballot shall read as follows: "This proposed
46 constitutional amendment removes from the Constitution a list of
47 specific felonies, conviction of any of which disqualifies a
48 person as an elector. The amendment provides that conviction in
49 this state, another state or any federal court of any felony
50 disqualifies a person as an elector. The amendment also revises
51 certain language that refers to persons with mental illness who
52 are not qualified to vote."

53 BE IT FURTHER RESOLVED, That the Attorney General of the
54 State of Mississippi shall submit this resolution, immediately
55 upon adoption by the Legislature of the State of Mississippi, to
56 the Attorney General of the United States or to the United States
57 District Court for the District of Columbia in accordance with the
58 provisions of the Voting Rights Act of 1965, as amended and
59 extended.

