

By: Representatives Rotenberry, Akins,  
Beckett, Bentz, Davis, Ellington, Fillingane,  
Formby, Gunn, Hamilton (6th), Lott,  
Martinson, Mayhall, Moore, Staples

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 31

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 2004, 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.