

By: Representative Denny

To: Apportionment and
Elections; Constitution

HOUSE BILL NO. 119

1 AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE CONDITIONS UNDER WHICH A PERSON BECOMES A
3 DISQUALIFIED ELECTOR; TO AMEND SECTIONS 23-15-19 AND 23-15-151,
4 MISSISSIPPI CODE OF 1972, TO REQUIRE THE REGISTRAR AND CIRCUIT
5 CLERK TO KEEP A RECORD OF THE CONVICTED PERSONS WHOSE RIGHT TO
6 VOTE HAS BEEN RESTORED AFTER MEETING THE REQUIREMENTS OF THE STATE
7 CONSTITUTION; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 23-15-11, Mississippi Code of 1972, is
10 amended as follows:

11 23-15-11. Every inhabitant of this state, except idiots and
12 insane persons, who is a citizen of the United States of America,
13 eighteen (18) years old and upwards, who has resided in this state
14 for thirty (30) days and for thirty (30) days in the county in
15 which he offers to vote, and for thirty (30) days in the
16 incorporated city or town in which he offers to vote, and who
17 shall have been duly registered as an elector pursuant to Section
18 23-15-33, and who has never been convicted of a felony, except as
19 provided by Section 241, Mississippi Constitution of 1890, shall
20 be a qualified elector in and for the county, municipality and
21 voting precinct of his residence, and shall be entitled to vote at
22 any election. Any person who will be eighteen (18) years of age
23 or older on or before the date of the general election and who is
24 duly registered to vote not less than thirty (30) days prior to
25 the primary election associated with such general election, may
26 vote in such primary election even though such person has not
27 reached his or her eighteenth birthday at the time such person
28 offers to vote at such primary election. No others than those



29 above included shall be entitled, or shall be allowed, to vote at
30 any election.

31 **SECTION 2.** Section 23-15-19, Mississippi Code of 1972, is
32 amended as follows:

33 23-15-19. (1) Any person who has been convicted of a felony
34 as provided in Section 241, Mississippi Constitution of 1890,
35 shall not be registered, or if registered the name of such person
36 shall be erased from the registration book on which it may be
37 found by the registrar or by the election commissioners. Whenever
38 any person shall be convicted in the circuit court of his county
39 of any felony, the registrar shall thereupon erase his name from
40 the registration book; and whenever any person shall be convicted
41 of any of a felony in any other court of any county, the presiding
42 judge thereof shall, on demand, certify the fact in writing to the
43 registrar, who shall thereupon erase the name of such person from
44 the registration book and file said certificate as a record of his
45 office.

46 (2) The registrar shall place upon the registration book the
47 name of any person whose right to vote has been restored as
48 provided by Section 241, Mississippi Constitution of 1890.

49 **SECTION 3.** Section 23-15-151, Mississippi Code of 1972, is
50 amended as follows:

51 23-15-151. The circuit clerk of each county is authorized
52 and directed to prepare and keep in his office a full and complete
53 list, in alphabetical order, of persons convicted of a felony as
54 provided in Section 241, Mississippi Constitution of 1890, and
55 keep a record of those convicted persons whose right to vote has
56 been restored as provided by Section 241, Mississippi Constitution
57 of 1890. Said clerk shall enter the names of all persons who have
58 been or shall be hereafter convicted of a felony as provided in
59 Section 241, Mississippi Constitution of 1890, in a book prepared
60 and kept for that purpose and also record those convicted persons
61 whose right to vote has been restored as provided by Section 241,



62 Mississippi Constitution of 1890. The board of supervisors of
63 each county shall, as early as practicable, furnish the circuit
64 clerk of their county with a suitable book for the enrollment of
65 said names showing the name, date of birth, address, court, crime
66 and date of conviction, and date of restored right to vote. Said
67 roll, when so prepared, shall be compared with the registration
68 book before each election commissioner of the county. A certified
69 copy of any enrollment by one clerk to another will be sufficient
70 authority for the enrollment of such name, or names, in another
71 county.

72 **SECTION 4.** The Attorney General of the State of Mississippi
73 shall submit this act, immediately upon approval by the Governor,
74 or upon approval by the Legislature subsequent to a veto, to the
75 Attorney General of the United States or to the United States
76 District Court for the District of Columbia in accordance with the
77 provisions of the Voting Rights Act of 1965, as amended and
78 extended.

79 **SECTION 5.** This act shall take effect and be in force from
80 and after the date it is effectuated under Section 5 of the Voting
81 Rights Act of 1965, as amended and extended.

