

By: Representative Rotenberry

To: Apportionment and  
Elections

HOUSE BILL NO. 536

1 AN ACT TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE CENTRALIZED DATABASE OF REGISTERED VOTERS TO  
3 INCLUDE THE SOCIAL SECURITY NUMBER OF EACH REGISTERED VOTER IN THE  
4 STATE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 23-15-165, Mississippi Code of 1972, is  
7 amended as follows:

8 23-15-165. (1) From and after July 1, 2002, the Office of  
9 the Secretary of State, in cooperation with the local registrars  
10 and election commissioners, shall begin to procure, implement and  
11 maintain an electronic information processing system and programs  
12 capable of maintaining a centralized database of all registered  
13 voters in the state. The database shall include the social  
14 security number of each registered voter in the state. The system  
15 shall encompass software and hardware, at both the state and  
16 county level, software development training, conversion and  
17 support and maintenance for the system. This system shall be  
18 known as the "Statewide Elections Management System" and shall  
19 constitute the official record of registered voters in every  
20 county of the state.

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

24 (a) Verify that an applicant that is registering to  
25 vote in such county is not registered to vote in another county;

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

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

31           (d) Retain all present functionality related to, but  
32 not limited to, the use of voter roll data and to implement such  
33 other functionality as the law requires to enhance the maintenance  
34 of accurate county voter records and related jury selection and  
35 redistricting programs.

36           (3) As a part of the procurement and implementation of the  
37 system, the Office of the Secretary of State shall, with the  
38 assistance of the advisory committee, procure services necessary  
39 to convert current voter registration records in the counties into  
40 a standard, industry accepted file format that can be used on the  
41 Statewide Elections Management System. Thereafter, all official  
42 voter information shall be maintained on the Statewide Elections  
43 Management System. The standard industry accepted format of data  
44 shall be reviewed and approved by a majority of the advisory  
45 committee created in subsection (5) of this section after  
46 consultation with the Circuit Clerks Association and the format  
47 may not be changed without majority approval of the advisory  
48 committee and without consulting the Circuit Clerks Association.

49           (4) The Secretary of State may, with the assistance of the  
50 advisory committee, adopt rules and regulations necessary to  
51 administer the Statewide Elections Management System. Such rules  
52 and regulations shall at least:

53           (a) Provide for the establishment and maintenance of a  
54 centralized database for all voter registration information in the  
55 state;

56           (b) Provide procedures for integrating data into the  
57 centralized database;

58           (c) Provide security to insure that only the registrar,  
59 or his designee or other appropriate official, as the law may

60 require, can add information to, delete information from and  
61 modify information in the system;

62 (d) Provide the registrar or his designee or other  
63 appropriate official, as the law may require, access to the system  
64 at all times, including the ability to download copies of the  
65 industry standard file, for all purposes related to their official  
66 duties, including, but not limited to, exclusive access for the  
67 purpose of printing of all local pollbooks;

68 (e) Provide security and protection of all information  
69 in the system and monitor the system to ensure that unauthorized  
70 access is not allowed;

71 (f) Provide a procedure that will allow the registrar,  
72 or his designee or other appropriate official, as the law may  
73 require, to identify the precinct and subprecinct to which a voter  
74 should be assigned; and

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

78 (5) The Secretary of State shall establish an advisory  
79 committee to assist in developing system specifications,  
80 procurement, implementation and maintenance of the Statewide  
81 Elections Management System. The committee shall include two (2)  
82 representatives from the Circuit Clerks Association, appointed by  
83 the association; two (2) representatives from the Election  
84 Commissioners Association of Mississippi, appointed by the  
85 association; one (1) member of the Mississippi Association of  
86 Supervisors, or its staff, appointed by the association; the  
87 Director of the Stennis Institute of Government at Mississippi  
88 State University, or his designee; the Executive Director of the  
89 Department of Information Technology Services, or his designee;  
90 two (2) persons knowledgeable about elections and information  
91 technology appointed by the Secretary of State; and the Secretary

92 of State, who shall serve as the chairman of the advisory  
93 committee.

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

99 (b) Copies of statewide, district, county or municipal  
100 voter registration files, excluding social security numbers,  
101 telephone numbers and date of birth and age information, shall be  
102 provided to any person in accordance with the Mississippi Public  
103 Records Act of 1983 at a cost not to exceed the actual cost of  
104 production.

105 **SECTION 2.** The Attorney General of the State of Mississippi  
106 shall submit this act, immediately upon approval by the Governor,  
107 or upon approval by the Legislature subsequent to a veto, to the  
108 Attorney General of the United States or to the United States  
109 District Court for the District of Columbia in accordance with the  
110 provisions of the Voting Rights Act of 1965, as amended and  
111 extended.

112 **SECTION 3.** This act shall take effect and be in force from  
113 and after the date it is effectuated under Section 5 of the Voting  
114 Rights Act of 1965, as amended and extended.