

By: Senator(s) Nunnelee

To: Judiciary, Division B

SENATE BILL NO. 2166

1 AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT PERSONS WHO HAVE BEEN CONVICTED IN A COURT OF THIS
3 STATE OR ANY OTHER STATE OR IN ANY FEDERAL COURT OF ANY FELONY
4 FROM BEING A QUALIFIED ELECTOR; TO AMEND SECTIONS 23-15-19 AND
5 23-15-151, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND
6 FOR RELATED PURPOSES.

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

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

10 23-15-11. Every inhabitant of this state, except idiots and
11 insane persons, who is a citizen of the United States of America,
12 eighteen (18) years old and upwards, who has resided in this state
13 for thirty (30) days and for thirty (30) days in the county in
14 which he offers to vote, and for thirty (30) days in the
15 incorporated city or town in which he offers to vote, and who
16 shall have been duly registered as an elector pursuant to Section
17 23-15-33, and who has never been convicted of any crime listed in
18 Section 241, Mississippi Constitution of 1890, and who has never
19 been convicted in any court of this state, another state or in any
20 federal court of any felony other than convictions of manslaughter
21 and violations of the United States Internal Revenue Code or any
22 violations of the tax laws of this or another state unless the
23 offense also involved misuse or abuse of his office or money
24 coming into his hands by virtue of his office, shall be a
25 qualified elector in and for the county, municipality and voting
26 precinct of his residence, and shall be entitled to vote at any
27 election. Any person who will be eighteen (18) years of age or
28 older on or before the date of the general election and who is
29 duly registered to vote not less than thirty (30) days prior to

30 the primary election associated with such general election, may
31 vote in such primary election even though such person has not
32 reached his or her eighteenth birthday at the time such person
33 offers to vote at such primary election. No others than those
34 above included shall be entitled, or shall be allowed, to vote at
35 any election.

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

38 23-15-19. Any person who has been convicted of any crime
39 described in Section 23-15-11 shall not be registered, or if
40 registered the name of such person shall be erased from the
41 registration book on which it may be found by the registrar or by
42 the election commissioners. Whenever any person shall be
43 convicted in the circuit court of his county of any of said
44 crimes, the registrar shall thereupon erase his name from the
45 registration book; and whenever any person shall be convicted of
46 any of said crimes in any other court of any county, the presiding
47 judge thereof shall, on demand, certify the fact in writing to the
48 registrar, who shall thereupon erase the name of such person from
49 the registration book and file said certificate as a record of his
50 office.

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

53 23-15-151. The circuit clerk of each county is authorized
54 and directed to prepare and keep in his office a full and complete
55 list, in alphabetical order, of persons convicted of any crime
56 described in Section 23-15-11. Said clerk shall enter the names
57 of all persons who have been or shall be hereafter convicted of
58 any crime described in Section 23-15-11 in a book prepared and
59 kept for that purpose. The board of supervisors of each county
60 shall, as early as practicable, furnish the circuit clerk of their
61 county with a suitable book for the enrollment of said names
62 showing the name, date of birth, address, court, crime and date of

63 conviction. Said roll, when so prepared, shall be compared with
64 the registration book before each election commissioner of the
65 county. A certified copy of any enrollment by one clerk to
66 another will be sufficient authority for the enrollment of such
67 name, or names, in another county.

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

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