

By: Representatives Karriem, Wallace,  
Shanks, Summers, Thompson, Mickens, Faulkner,  
Denton

To: Constitution

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1609

1 AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT A PERSON WHO IS OTHERWISE A QUALIFIED ELECTOR AND  
3 HAS BEEN CONVICTED OF CERTAIN DISENFRANCHISING CRIMES, EXCEPT FOR  
4 ARSON, ARMED ROBBERY, CARJACKING, EMBEZZLEMENT, MURDER, RAPE,  
5 STATUTORY RAPE, SEXUAL BATTERY, OR HUMAN TRAFFICKING SHALL HAVE  
6 HIS OR HER RIGHT TO VOTE REVOKED, BUT SHALL HAVE THE RIGHT TO VOTE  
7 RESTORED FIVE YEARS AFTER RELEASE FROM CONFINEMENT FOR THE  
8 DISQUALIFYING CRIME, OR FIVE YEARS FROM THE DATE OF SUCH  
9 CONVICTION, WHICHEVER OCCURS LATER; TO AMEND SECTIONS 23-15-19,  
10 23-15-125, 23-15-151, 23-15-153 AND 23-15-165, MISSISSIPPI CODE OF  
11 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD  
12 SECTIONS 97-39-3 AND 99-19-37, MISSISSIPPI CODE OF 1972, FOR THE  
13 PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 97-37-5,  
14 MISSISSIPPI CODE OF 1972, TO PROVIDE AN EXCEPTION TO THE FIREARMS  
15 PROHIBITION FOR PERSONS WHO HAVE HAD THEIR VOTING RIGHTS RESTORED;  
16 AND FOR RELATED PURPOSES.

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

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

20 23-15-11. (1) Except as otherwise provided in subsection  
21 (2) of this section, every inhabitant of this state, except  
22 persons adjudicated to be non compos mentis, shall be a qualified  
23 elector in and for the county, municipality and voting precinct of  
24 his or her residence and shall be entitled to vote at any election  
25 upon compliance with Section 23-15-563, if he or she is:



(a) \* \* \* A citizen of the United States of  
America \* \* \*;

(b) Eighteen (18) years old and upwards \* \* \*;

(c) \* \* \* A resident in this state for thirty (30) days  
and for thirty (30) days in the county in which he or she seeks to  
vote, and for thirty (30) days in the incorporated municipality in  
which he or she seeks to vote \* \* \*;

(d) \* \* \* Duly registered as an elector under Section  
23-15-33 \* \* \*; and

(e) \* \* \* Never \* \* \* convicted of arson, armed robbery,  
carjacking, embezzlement, if the value and/or amount involved is  
Five Thousand Dollars (\$5,000.00) or more, murder, rape, statutory  
rape, sexual battery as provided in Section 97-3-95, human  
trafficking as provided in Section 97-3-54.1 or vote fraud \* \* \*.

If the thirtieth day to register before an election falls on  
a Sunday or legal holiday, the registration applications submitted  
on the business day immediately following the Sunday or legal  
holiday shall be accepted and entered in the Statewide Elections  
Management System for the purpose of enabling voters to vote in  
the next election.

(2) A person who is otherwise a qualified elector under the  
provisions of subsection (1) of this section, and has been  
convicted of bribery, theft, obtaining money or goods under false  
pretense, perjury, forgery, bigamy, or any crime interpreted as  
disenfranchising in later Attorney General opinions, except for



51 arson, armed robbery, carjacking, embezzlement, if the value  
52 and/or amount involved is Five Thousand Dollars (\$5,000.00) or  
53 more, murder, rape, statutory rape, sexual battery as provided in  
54 Section 97-3-95, or human trafficking as provided in Section  
55 97-3-54.1 shall have his or her right to vote revoked upon  
56 conviction, but shall have his or her right to vote restored five  
57 (5) years after the date of such conviction, or five (5) years  
58 after his or her release from confinement for such disqualifying  
59 crime, whichever occurs later.

60       (3) Any person who will be eighteen (18) years of age or  
61 older on or before the date of the general election and who is  
62 duly registered to vote not less than thirty (30) days before the  
63 primary election associated with the general election, may vote in  
64 the primary election even though the person has not reached his or  
65 her eighteenth birthday at the time that the person seeks to vote  
66 at the primary election.

67       (4) No others than those specified in this section shall be  
68 entitled, or shall be allowed, to vote at any election.

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

71       23-15-19. Any person who has been convicted of \* \* \* any  
72 crime listed in Section 241, Mississippi Constitution of 1890  
73 \* \* \*, or any crime interpreted as disenfranchising in later  
74 Attorney General opinions, except for arson, armed robbery,  
75 carjacking, embezzlement, if the value and/or amount involved is



76 Five Thousand Dollars (\$5,000.00) or more, murder, rape, statutory  
77 rape, sexual battery as provided in Section 97-3-95, or human  
78 trafficking as provided in Section 97-3-54.1 shall \* \* \* have his  
79 or her right to vote revoked upon conviction, but shall have his  
80 or her right to vote restored five (5) years after the date of  
81 such conviction, or five (5) years after his or her release from  
82 confinement for such disqualifying crime, whichever occurs later.

83 Whenever any person shall be convicted in the circuit court of his  
84 or her county of a disenfranchising crime, the county registrar  
85 shall \* \* \* remove his or her name from the Statewide Elections  
86 Management System; and whenever any person shall be convicted of a  
87 disenfranchising crime in any other court of any county, the  
88 presiding judge of the court shall, on demand, certify the fact in  
89 writing to the registrar of the county in which the voter resides,  
90 who shall \* \* \* remove the name of the person from the Statewide  
91 Elections Management System and retain the certificate as a record  
92 of his or her office.

93 **SECTION 3.** Section 23-15-125, Mississippi Code of 1972, is  
94 amended as follows:

95 23-15-125. The pollbook of each voting precinct shall  
96 designate the voting precinct for which it is to be used, and  
97 shall be ruled in appropriate columns, with printed or written  
98 headings, as follows: date of registration; voter registration  
99 number; name of electors; date of birth; and a number of blank  
100 columns for the dates of elections. All qualified applicants who



101 register with the registrar shall be entered in the Statewide  
102 Elections Management System. Only the names of those qualified  
103 applicants who register within thirty (30) days before an election  
104 shall appear on the pollbooks of the election; however, if the  
105 thirtieth day to register before an election falls on a Sunday or  
106 legal holiday, the registration applications submitted on the  
107 business day immediately following the legal holiday shall be  
108 accepted and entered in the Statewide Elections Management System  
109 for the purpose of enabling voters to vote in the next election.  
110 When county election commissioners determine that any elector is  
111 disqualified from voting, by reason of death, conviction of  
112 a \* \* \* disenfranchising crime, removal from the jurisdiction,  
113 failure to comply with the provisions of Section 23-15-152, or  
114 other legal cause, that fact shall be noted in the Statewide  
115 Elections Management System and the voter's name shall be purged  
116 from the Statewide Elections Management System, the state's voter  
117 roll and the county's pollbooks. Nothing in this section shall  
118 preclude the use of electronic pollbooks. A person who is  
119 otherwise a qualified elector under the provisions of Section  
120 23-15-11 and has been convicted of bribery, theft, obtaining money  
121 or goods under false pretense, perjury, forgery, bigamy, or any  
122 crime interpreted as disenfranchising in later Attorney General  
123 opinions, with the exception of arson, armed robbery, carjacking,  
124 embezzlement, if the value and/or amount involved is Five Thousand  
125 Dollars (\$5,000.00) or more, murder, rape, statutory rape, sexual



battery as provided in Section 97-3-95, or human trafficking as  
provided in Section 97-3-54.1 shall have his or her right to vote  
revoked upon conviction, but shall have his or her right to vote  
restored five (5) years after the date of such conviction, or five  
(5) years after his or her release from confinement for such  
disqualifying crime, whichever occurs later.

**SECTION 4.** Section 23-15-151, Mississippi Code of 1972, is  
amended as follows:

23-15-151. The circuit clerk of each county is authorized  
and directed to prepare and keep in his or her office a full and  
complete list, in alphabetical order, of persons convicted of  
voter fraud or of any crime listed in Section 241, Mississippi  
Constitution of 1890, or any crime interpreted as disenfranchising  
in later Attorney General opinions, whose right to vote has been  
revoked upon his or her conviction. A certified copy of any  
enrollment by one (1) clerk to another will be sufficient  
authority for the enrollment of the name, or names, in another  
county. A list of persons convicted of voter fraud, any crime  
listed in Section 241, Mississippi Constitution of 1890, or any  
crime interpreted as disenfranchising in later Attorney General  
opinions, shall also be entered into the Statewide Elections  
Management System on a quarterly basis. \* \* \* A person who is  
otherwise a qualified elector under the provisions of Section  
23-15-11 and has been convicted of voter fraud, any crime listed  
in Section 241, Mississippi Constitution of 1890, or any crime



interpreted as disenfranchising in later Attorney General  
opinions, with the exception of arson, armed robbery, carjacking,  
embezzlement, if the value and/or amount involved is Five Thousand  
Dollars (\$5,000.00) or more, murder, rape, statutory rape, sexual  
battery as provided in Section 97-3-95, or human trafficking as  
provided in Section 97-3-54.1 shall have his or her right to vote  
revoked upon conviction, but shall have his or her right to vote  
restored five (5) years after the date of such conviction, or five  
(5) years after his or her release from confinement for such  
disqualifying crime, whichever occurs later.

**SECTION 5.** Section 23-15-153, Mississippi Code of 1972, is amended as follows:

23-15-153. (1) At least during the following times, the election commissioners shall meet at the office of the registrar or the office of the election commissioners to carefully revise the county voter roll as electronically maintained by the Statewide Elections Management System and remove from the roll the names of all voters who have requested to be purged from the voter roll, died, received an adjudication of non compos mentis, been convicted of a disenfranchising crime and had his or her right to vote revoked because of such conviction, failed to comply with the provisions of Section 23-15-152, or otherwise become disqualified as electors for any cause, and shall register the names of all persons who have duly applied to be registered but have been illegally denied registration:



176 (a) On the Tuesday after the second Monday in January  
177 1987 and every following year;

178 (b) On the first Tuesday in the month immediately  
179 preceding the first primary election for members of Congress in  
180 the years when members of Congress are elected;

181 (c) On the first Monday in the month immediately  
182 preceding the first primary election for state, state district  
183 legislative, county and county district offices in the years in  
184 which those offices are elected; and

185 (d) On the second Monday of September preceding the  
186 general election or regular special election day in years in which  
187 a general election is not conducted.

188 Except for the names of those voters who are duly qualified  
189 to vote in the election, no name shall be permitted to remain in  
190 the Statewide Elections Management System; however, no name shall  
191 be purged from the Statewide Elections Management System based on  
192 a change in the residence of an elector except in accordance with  
193 procedures provided for by the National Voter Registration Act of  
194 1993 and as provided in Section 23-15-152. Except as otherwise  
195 provided by Section 23-15-573, no person shall vote at any  
196 election whose name is not in the county voter roll electronically  
197 maintained by the Statewide Elections Management System.

198 (2) Except as provided in this section, and subject to the  
199 following annual limitations, the election commissioners shall be  
200 entitled to receive a per diem in the amount of One Hundred Ten





Dollars (\$110.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than fifty (50) days per year, with no more than fifteen (15) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than seventy-five (75) days per year, with no more than twenty-five (25) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than one hundred (100) days per year, with no more than thirty-five (35) additional days



allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than one hundred twenty-five (125) days per year, with no more than forty-five (45) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than one hundred fifty (150) days per year, with no more than fifty-five (55) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but



less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than one hundred ninety (190) days per year, with no more than seventy-five (75) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(h) In counties having two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census but less than two hundred fifty thousand (250,000) residents according to the latest federal decennial census, not more than two hundred fifteen (215) days per year, with no more than eighty-five (85) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(i) In counties having two hundred fifty thousand (250,000) residents according to the latest federal decennial census but less than two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census, not more than two hundred thirty (230) days per year, with no more than ninety-five (95) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(j) In counties having two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census or more, not more than two hundred forty (240) days per year, with no more than one hundred five (105) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year.



(3) In addition to the number of days authorized in subsection (2) of this section, the board of supervisors of a county may authorize, in its discretion, the election commissioners to receive a per diem in the amount provided for in subsection (2) of this section, to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section, not to exceed five (5) days.

(4) (a) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, not to exceed ten (10) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System before any special election. For purposes of this paragraph, the regular special election day shall not be considered a special election. The annual limitations set forth in subsection (2) of this section shall not apply to this paragraph.



301           (b) The election commissioners shall be entitled to  
302 receive a per diem in the amount of One Hundred Sixty-five Dollars  
303 (\$165.00), to be paid from the county general fund, for the  
304 performance of their duties on the day of any primary, runoff,  
305 general or special election. The annual limitations set forth in  
306 subsection (2) of this section shall apply to this paragraph.

307           (5) The election commissioners shall be entitled to receive  
308 a per diem in the amount of One Hundred Ten Dollars (\$110.00), to  
309 be paid from the county general fund, not to exceed fourteen (14)  
310 days for every day or period of no less than five (5) hours  
311 accumulated over two (2) or more days actually employed in the  
312 performance of their duties for the necessary time spent in the  
313 revision of the county voter roll as electronically maintained by  
314 the Statewide Elections Management System and in the conduct of a  
315 runoff election following either a general or special election.

316           (6) The election commissioners shall be entitled to receive  
317 only one (1) per diem payment for those days when the election  
318 commissioners discharge more than one (1) duty or responsibility  
319 on the same day.

320           (7) The election commissioners shall be entitled to receive  
321 a per diem in the amount of One Hundred Ten Dollars (\$110.00), to  
322 be paid from the county general fund, not to exceed five (5) days  
323 for every day or period of no less than five (5) hours accumulated  
324 over two (2) or more days for those days when the election



commissioners shall be required to conduct an audit of an election as provided in Section 23-15-615.

(8) In preparation for a municipal primary, runoff, general or special election, the county registrar shall generate and distribute the master voter roll and pollbooks from the Statewide Elections Management System for the municipality located within the county. The municipality shall pay the county registrar for the actual cost of preparing and printing the municipal master voter roll pollbooks. A municipality may secure "read only" access to the Statewide Elections Management System and print its own pollbooks using this information.

(9) County election commissioners who perform the duties of an executive committee with regard to the conduct of a primary election under a written agreement authorized by law to be entered into with an executive committee shall receive per diem as provided for in subsection (2) of this section. The days that county election commissioners are employed in the conduct of a primary election shall be treated the same as days county election commissioners are employed in the conduct of other elections.

(10) In addition to any per diem authorized by this section, any election commissioner shall be entitled to the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel on election day.

(11) Every election commissioner shall sign personally a certification setting forth the number of hours actually worked in



350 the performance of the commissioner's official duties and for  
351 which the commissioner seeks compensation. The certification must  
352 be on a form as prescribed in this subsection. The commissioner's  
353 signature is, as a matter of law, made under the commissioner's  
354 oath of office and under penalties of perjury.

355 The certification form shall be as follows:

356 **COUNTY ELECTION COMMISSIONER**

357 **PER DIEM CLAIM FORM**

358 NAME: \_\_\_\_\_ COUNTY: \_\_\_\_\_

359 ADDRESS: \_\_\_\_\_ DISTRICT: \_\_\_\_\_

360 CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

361		PURPOSE	APPLICABLE	ACTUAL	PER DIEM		
362	DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
363	WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED

364 \_\_\_\_\_  
365 \_\_\_\_\_  
366 \_\_\_\_\_

367 TOTAL NUMBER OF PER DIEM DAYS EARNED

368 EXCLUDING ELECTION DAYS \_\_\_\_\_

369 PER DIEM RATE PER DAY EARNED X \$110.00

370 TOTAL NUMBER PER DIEM DAYS EARNED

371 FOR ELECTION DAYS \_\_\_\_\_

372 PER DIEM RATE PER DAY EARNED X \$165.00

373 TOTAL AMOUNT OF PER DIEM CLAIMED \$ \_\_\_\_\_



I understand that I am signing this document under my oath as an election commissioner and under penalties of perjury.

I understand that I am requesting payment from taxpayer funds and that I have an obligation to be specific and truthful as to the amount of hours worked and the compensation I am requesting.

Signed this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Commissioner's Signature

When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon the oral or written request of any person.

Any person may contest the accuracy of the certification in any respect by notifying the chair of the commission, any member of the board of supervisors or the clerk of the board of supervisors of the contest at any time before or after payment is made. If the contest is made before payment is made, no payment shall be made as to the contested certificate until the contest is finally disposed of. The person filing the contest shall be entitled to a full hearing, and the clerk of the board of supervisors shall issue subpoenas upon request of the contestor compelling the attendance of witnesses and production of documents and things. The contestor shall have the right to appeal de novo to the circuit court of the involved county, which appeal must be





399 perfected within thirty (30) days from a final decision of the  
400 commission, the clerk of the board of supervisors or the board of  
401 supervisors, as the case may be.

402 Any contestor who successfully contests any certification  
403 will be awarded all expenses incident to his or her contest,  
404 together with reasonable attorney's fees, which will be awarded  
405 upon petition to the chancery court of the involved county upon  
406 final disposition of the contest before the election commission,  
407 board of supervisors, clerk of the board of supervisors, or, in  
408 case of an appeal, final disposition by the court. The  
409 commissioner against whom the contest is decided shall be liable  
410 for the payment of the expenses and attorney's fees, and the  
411 county shall be jointly and severally liable for same.

412 (12) Any election commissioner who has not received a  
413 certificate issued by the Secretary of State pursuant to Section  
414 23-15-211 indicating that the election commissioner has received  
415 the required elections seminar instruction and that the election  
416 commissioner is fully qualified to conduct an election, shall not  
417 receive any compensation authorized by this section or Section  
418 23-15-239.

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

421 23-15-165. (1) The Office of the Secretary of State, in  
422 cooperation with the county registrars and election commissioners,  
423 shall procure, implement and maintain an electronic information



424 processing system and programs capable of maintaining a  
425 centralized database of all registered voters in the state. The  
426 system shall encompass software and hardware, at both the state  
427 and county level, software development training, conversion and  
428 support and maintenance for the system. The Secretary of State  
429 shall equip the Statewide Elections Management System with  
430 appropriate security measures to protect private information of  
431 the registered voter and the integrity of Mississippi elections.  
432 This system shall be known as the "Statewide Elections Management  
433 System" and shall constitute the official record of registered  
434 voters in every county of the state.

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

438 (a) Verify that an applicant that is registering to  
439 vote in that county is not registered to vote in another county;

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

442 (c) Receive regular reports of death, changes of  
443 address and convictions for \* \* \* disenfranchising crimes, which  
444 cause a voter to have his or her right to vote revoked, that apply  
445 to voters registered in the county;

446 (d) Retain all present functionality related to, but  
447 not limited to, the use of voter roll data and to implement such  
448 other functionality as the law requires to enhance the maintenance



of accurate county voter records and related jury selection and redistricting programs; and

(e) When evidence exists that a registered voter may not be a citizen of the United States as provided in Section 23-15-15, send notification to the registrar of the location where the person is registered to vote.

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

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

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



474 (b) Provide procedures for integrating data into the  
475 centralized database;

476 (c) Provide security to ensure that only the registrar,  
477 or his or her designee or other appropriate official, as the law  
478 may require, can add information to, delete information from and  
479 modify information in the system;

480 (d) Provide the registrar or his or her designee or  
481 other appropriate official, as the law may require, access to the  
482 system at all times, including the ability to download copies of  
483 the industry standard file, for all purposes related to their  
484 official duties, including, but not limited to, exclusive access  
485 for the purpose of printing all local pollbooks;

486 (e) Provide security and protection of all information  
487 in the system and monitor the system to ensure that unauthorized  
488 access is not allowed;

489 (f) Provide a procedure that will allow the registrar,  
490 or his or her designee or other appropriate official, as the law  
491 may require, to identify the precinct to which a voter should be  
492 assigned; and

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

496 (5) The Secretary of State established an advisory committee  
497 to assist in developing system specifications, procurement,  
498 implementation and maintenance of the Statewide Elections



Management System. The committee included two (2) representatives from the Circuit Clerks Association, appointed by the association; two (2) representatives from the Election Commissioners Association of Mississippi, appointed by the association; one (1) member of the Mississippi Association of Supervisors, or its staff, appointed by the association; the Director of the Stennis Institute of Government at Mississippi State University, or his or her designee; the Executive Director of the Department of Information Technology Services, or his or her designee; two (2) persons knowledgeable about elections and information technology appointed by the Secretary of State; and the Secretary of State, who shall serve as the chair of the advisory committee.

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

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



**SECTION 7.** Section 97-39-3, Mississippi Code of 1972, is brought forward as follows:

97-39-3. If any person shall fight a duel, or give or accept a challenge to fight a duel, or knowingly carry or deliver such challenge or the acceptance thereof, or be second to either party to any duel, whether such act be done in the state or out of it, or who shall go out of the state to fight a duel, or to assist in the same as second, or to send, accept, or carry a challenge, shall be disqualified from holding any office, be disenfranchised, and incapable of holding or being elected to any post of honor, profit or emolument, civil or military, under the constitution and laws of this state; and the appointment of any such person to office, as also all votes given to any such person, are illegal, and none of the votes given to such person for any office shall be taken or counted.

**SECTION 8.** Section 99-19-37, Mississippi Code of 1972, is brought forward as follows:

99-19-37. (1) Any person who has lost the right of suffrage by reason of conviction of crime and has not been pardoned therefrom, who thereafter served honorably in any branch of the Armed Forces of the United States during the periods of World War I or World War II as hereinafter defined and shall have received an honorable discharge, or release therefrom, shall by reason of such honorable service, have the full right of suffrage restored,



provided, however, this does not apply to any one having an unfinished or suspended sentence.

(2) For the purposes of this section the period of World War I shall be from April 6, 1917 to December 1, 1918, and the period of World War II shall be from December 7, 1941 to December 31, 1946.

(3) In order to have restored, and to exercise, the right of franchise under the provisions of this section a person affected hereby shall have his discharge, or release, from the Armed Forces of the United States recorded in the office of the chancery clerk of the county in which such person desires to exercise the right of franchise and if such discharge, or release, appears to be an honorable discharge, or release, and shows such person to have served honorably during either of the periods stated in subsection (2) of this section such person shall have the full right of suffrage restored as though an act had been passed by the Legislature in accordance with Section 253 of the Constitution of the State of Mississippi restoring the right of suffrage to such person.

**SECTION 9.** Section 97-37-5, Mississippi Code of 1972, is amended as follows:

97-37-5. (1) It shall be unlawful for any person who has been convicted of a felony under the laws of this state, any other state, or of the United States to possess any firearm or any bowie knife, dirk knife, butcher knife, switchblade knife, metallic



knuckles, blackjack, or any muffler or silencer for any firearm unless such person has received a pardon for such felony, has had his or her voting rights restored under Sections 1 through 6 of this act, has received a relief from disability pursuant to Section 925(c) of Title 18 of the United States Code, or has received a certificate of rehabilitation pursuant to subsection (3) of this section.

(2) Any person violating this section shall be guilty of a felony and, upon conviction thereof, shall be fined not more than Five Thousand Dollars (\$5,000.00), or committed to the custody of the State Department of Corrections for not less than one (1) year nor more than ten (10) years, or both.

(3) A person who has been convicted of a felony under the laws of this state, under the laws of another state, under federal law or in state military court may apply for a certificate of rehabilitation as provided in this section. If the person was convicted of a felony under the laws of this state, he or she may apply to the court in which he was convicted for a certificate of rehabilitation. If the person was convicted of a felony under the laws of another state, under federal law or in state military court, he or she may apply to the court in the person's county of residence for a certificate of rehabilitation. A person convicted of a felony under the laws of another state, under federal law or in state military court shall attach a certified copy of his or her judgment and a certified copy of his or her completion of





597 sentence to the petition for a certificate of rehabilitation. The  
598 court may grant such certificate in its discretion upon a showing  
599 to the satisfaction of the court that the applicant has been  
600 rehabilitated and has led a useful, productive and law-abiding  
601 life since the completion of his or her sentence and upon the  
602 finding of the court that he or she will not be likely to act in a  
603 manner dangerous to public safety.

604 (4) (a) A person who is discharged from court-ordered  
605 mental health treatment may petition the court which entered the  
606 commitment order for an order stating that the person qualifies  
607 for relief from a firearms disability.

608 (b) In determining whether to grant relief, the court  
609 must hear and consider evidence about:

610 (i) The circumstances that led to imposition of  
611 the firearms disability under 18 USCS, Section 922(d)(4);

612 (ii) The person's mental history;

613 (iii) The person's criminal history; and

614 (iv) The person's reputation.

615 (c) A court may not grant relief unless it makes and  
616 enters in the record the following affirmative findings:

617 (i) That the person is no longer likely to act in  
618 a manner dangerous to public safety; and

619 (ii) Removing the person's disability to purchase  
620 a firearm is not against the public interest.



621           **SECTION 10.** This act shall take effect and be in force from  
622 and after July 1, 2024.

