

By: Representative Sanford

To: Apportionment and
Elections

HOUSE BILL NO. 1661

1 AN ACT TO CREATE THE STATE SUFFRAGE RESTORATION PANEL; TO
 2 ESTABLISH AN ALTERNATE METHOD TO THAT PROVIDED BY SECTION 253 OF
 3 THE MISSISSIPPI CONSTITUTION OF 1890 FOR THE RIGHT TO VOTE TO BE
 4 RESTORED TO ELIGIBLE PERSONS CONVICTED OF CERTAIN CRIMES; TO
 5 PRESCRIBE THE MEMBERSHIP OF THE PANEL; TO ESTABLISH CRITERIA FOR A
 6 PERSON TO BE GRANTED A CERTIFICATE OF ELIGIBILITY TO REGISTER TO
 7 VOTE; TO PROVIDE THE PROCESS BY WHICH THE PANEL CONSIDERS AN
 8 APPLICATION FOR A CERTIFICATE; TO CLARIFY THAT A PERSON MAY STILL
 9 SEEK TO HAVE THE RIGHT TO VOTE RESTORED THROUGH THE LEGISLATIVE
 10 PROCESS; TO REQUIRE JAILS AND CORRECTIONAL FACILITIES TO POST
 11 MATERIALS ABOUT PROCEDURES TO HAVING ONE'S RIGHT TO VOTE RESTORED;
 12 TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO PROVIDE
 13 THAT PERSONS GRANTED A CERTIFICATE OF ELIGIBILITY TO REGISTER TO
 14 VOTE ARE ELIGIBLE TO VOTE; TO AMEND SECTION 23-15-19, MISSISSIPPI
 15 CODE OF 1972, TO REQUIRE QUALIFIED PERSONS GRANTED A CERTIFICATE
 16 OF ELIGIBILITY TO REGISTER TO VOTE TO BE REGISTERED; TO AMEND
 17 SECTION 23-15-33, MISSISSIPPI CODE OF 1972, TO REQUIRE THE
 18 REGISTRAR TO REGISTER QUALIFIED PERSONS WHO PRESENT A CERTIFICATE
 19 OF ELIGIBILITY TO REGISTER TO VOTE; TO AMEND SECTION 23-15-151,
 20 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS
 21 ACT; AND FOR RELATED PURPOSES.

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

23 **SECTION 1.** (1) (a) There is created the State Suffrage
 24 Restoration Panel. The purpose of the panel is to create an
 25 alternate method to that provided by Section 253, Mississippi
 26 Constitution of 1890, for a person to be restored the right to



27 vote after having been disenfranchised following a criminal
28 conviction.

29 (b) The State Suffrage Restoration Panel shall be
30 comprised of the following five (5) members:

31 (i) One (1) person appointed by the Governor, to
32 serve an initial term of five (5) years;

33 (ii) One (1) person appointed by the Lieutenant
34 Governor, to serve an initial term of four (4) years;

35 (iii) One (1) person appointed by the Governor
36 from a list of three (3) nominees submitted by the Speaker of the
37 House of Representatives, to serve an initial term of three (3)
38 years;

39 (iv) A representative of the Mississippi
40 Prosecutors Association selected by the association, to serve an
41 initial term of two (2) years; and

42 (v) A representative of the Mississippi Public
43 Defender Association selected by the association, to serve an
44 initial term of one (1) year.

45 (c) Upon the expiration of the initial terms, members
46 of the State Suffrage Restoration Panel shall serve a term of five
47 (5) years.

48 (2) Notwithstanding any other provision of law, a person who
49 is otherwise a qualified elector under Section 23-15-11 who has
50 been convicted of a crime listed in paragraph (a) of this
51 subsection may apply to the State Suffrage Restoration Panel for a



52 Certificate of Eligibility to Register to Vote if all of the
53 following requirements are met:

54 (a) The person has lost the right to vote by reason of
55 conviction in a state or federal court of:

56 (i) Vote fraud;

57 (ii) A crime listed in Section 241, Mississippi
58 Constitution of 1890;

59 (iii) A crime interpreted as disenfranchising in
60 Attorney General opinions; or

61 (iv) Arson of an uninhabited structure;

62 (b) The person has no criminal felony charges pending
63 against him or her in a state or federal court at the time of
64 application;

65 (c) The person has been released for five (5) or more
66 years and has had no other convictions, other than misdemeanor
67 traffic violations, since being released;

68 (d) The person has paid all fines, court costs,
69 assessments, fees and victim restitution ordered by the sentencing
70 court at the time of sentencing; and

71 (e) The person has successfully completed probation or
72 parole and has been released by the ordering entity.

73 (3) Upon receipt of an application under this section, the
74 State Suffrage Restoration Panel shall cause an investigation into
75 the application to be conducted. The investigation must include a
76 review of court records, records of the correctional system and



77 records of the parole entity to establish that the applicant has
78 met the qualifications set out in subsection (2). An initial
79 report detailing the findings of the investigation shall be
80 prepared, including a statement as to whether the applicant has
81 successfully completed his or her sentence and has complied with
82 all eligibility requirements prescribed in subsection (2), and
83 submitted to all members of the State Suffrage Restoration Panel
84 for consideration.

85 (4) Upon receiving the report confirming a person's
86 eligibility for a Certificate of Eligibility, the State Suffrage
87 Restoration Panel shall provide notice to the sheriff and district
88 attorney in the county in which the conviction occurred that the
89 applicant has requested a Certificate of Eligibility to Register
90 to Vote. The panel also shall accept and consider letters written
91 in support of and opposition to the person's application with
92 attention given to factors such as the person's conduct and
93 productive reintegration into society since his or her release.

94 (5) If, after considering the report and any additional
95 information brought to the attention of the panel, it is clear
96 that the applicant has met the requirements of this section and
97 good cause does not exist to deny the applicant's request, the
98 State Suffrage Restoration Panel shall cause a Certificate of
99 Eligibility to Register to Vote to be prepared and presented to
100 the applicant.



101 (6) In making a final determination on an applicant's
102 eligibility for a certificate, the panel is not required to
103 convene an in-person meeting of the full membership of the panel;
104 however, upon the request of one or more members of the panel, the
105 application must be considered by the full panel at a meeting
106 during which, in the panel's discretion, interested persons may be
107 heard on the application.

108 (7) If the initial report created pursuant to subsection (3)
109 states that an applicant has not met all of the eligibility
110 criteria set forth in subsection (2), but the report was submitted
111 properly and accurately, the panel may not issue the Certificate
112 of Eligibility to Register to Vote. The panel shall notify the
113 applicant of the decision and reason or reasons for the decision.
114 Upon completion of the eligibility requirements, the applicant may
115 submit a new application.

116 (8) The State Suffrage Restoration Panel shall adopt such
117 rules and regulations as may be necessary to carry out the
118 purposes of this section. The panel may create an application
119 form to assist applicants in the preparation and submission of
120 applications. The rules shall prescribe timeframes for completion
121 of the initial review of, and rendering a final decision on, an
122 application.

123 (9) This section does not affect the right of any person to
124 seek to have his or her voting rights restored in the manner
125 provided in Section 253 of the Mississippi Constitution of 1890.



126 (10) Each state or county correctional facility, prison or
127 jail shall post materials prepared by the State Suffrage
128 Restoration Panel notifying incarcerated individuals of the
129 requirements and procedures for having one's voting rights
130 restored.

131 **SECTION 2.** Section 23-15-11, Mississippi Code of 1972, is
132 amended as follows:

133 23-15-11. (1) Every inhabitant of this state, except
134 persons adjudicated to be non compos mentis, is a qualified
135 elector in and for the county, municipality and voting precinct of
136 his or her residence and is entitled to vote at any election upon
137 compliance with Section 23-15-563, if he or she:

138 (a) * * * Is a citizen of the United States of
139 America * * *;

140 (b) Is eighteen (18) years old and upwards;

141 (c) * * * Has resided in this state for thirty (30)
142 days and for thirty (30) days in the county in which he or she
143 seeks to vote, and for thirty (30) days in the incorporated
144 municipality in which he or she seeks to vote * * *;

145 (d) * * * Has been duly registered as an elector under
146 Section 23-15-33 * * *; and

147 (e) * * * Has never been convicted of vote fraud or of
148 any crime listed in Section 241, Mississippi Constitution of
149 1890 * * *.



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

156 (2) A person who is otherwise a qualified elector under
157 subsection (1) who has been convicted of a disenfranchising crime
158 shall have his or her right to vote automatically restored once he
159 or she has been granted a Certificate of Eligibility to Register
160 to Vote under Section 1 of this act.

161 (3) Any person who will be eighteen (18) years of age or
162 older on or before the date of the general election and who is
163 duly registered to vote not less than thirty (30) days before the
164 primary election associated with the general election, may vote in
165 the primary election even though the person has not reached his or
166 her eighteenth birthday at the time that the person seeks to vote
167 at the primary election. No others than those specified in this
168 section shall be entitled, or shall be allowed, to vote at any
169 election.

170 **SECTION 3.** Section 23-15-19, Mississippi Code of 1972, is
171 amended as follows:

172 23-15-19. (1) Any person who has been convicted of vote
173 fraud or any crime listed in Section 241, Mississippi Constitution
174 of 1890, such crimes defined as "disenfranchising," shall not be



175 registered, or if registered the name of the person shall be
176 removed from the Statewide Elections Management System by the
177 registrar or the election commissioners of the county of his or
178 her residence. Whenever any person shall be convicted in the
179 circuit court of his or her county of a disenfranchising crime,
180 the county registrar shall thereupon remove his or her name from
181 the Statewide Elections Management System; and whenever any person
182 shall be convicted of a disenfranchising crime in any other court
183 of any county, the presiding judge of the court shall, on demand,
184 certify the fact in writing to the registrar of the county in
185 which the voter resides, who shall thereupon remove the name of
186 the person from the Statewide Elections Management System and
187 retain the certificate as a record of his or her office.

188 (2) A person who has been convicted of a disenfranchising
189 crime shall have his or her right to vote automatically restored
190 once he or she has been granted a Certificate of Eligibility to
191 Register to Vote under Section 1 of this act.

192 **SECTION 4.** Section 23-15-33, Mississippi Code of 1972, is
193 amended as follows:

194 23-15-33. (1) Every person entitled to be registered as an
195 elector in compliance with the laws of this state and who has
196 signed his or her name on and properly completed the application
197 for registration to vote shall be registered by the county
198 registrar in the voting precinct of the residence of such person
199 through the Statewide Elections Management System.



200 (2) Every person entitled to be registered as an elector in
201 compliance with the laws of this state and who registers to vote
202 pursuant to the National Voter Registration Act of 1993 shall be
203 registered by the county registrar in the voting precinct of the
204 residence of such person through the Statewide Elections
205 Management System.

206 (3) Every person granted a Certificate of Eligibility to
207 Register to Vote under Section 1 of this act who is entitled to be
208 registered as an elector in compliance with the laws of this state
209 and who has signed his or her name on and properly completed the
210 application for registration to vote shall be registered by the
211 county registrar in the voting precinct of the residence of such
212 person through the Statewide Elections Management System.

213 **SECTION 5.** Section 23-15-151, Mississippi Code of 1972, is
214 amended as follows:

215 23-15-151. The circuit clerk of each county is authorized
216 and directed to prepare and keep in his or her office a full and
217 complete list, in alphabetical order, of persons convicted of
218 voter fraud or of any crime listed in Section 241, Mississippi
219 Constitution of 1890. A certified copy of any enrollment by one
220 clerk to another will be sufficient authority for the enrollment
221 of the name, or names, in another county. A list of persons
222 convicted of voter fraud, any crime listed in Section 241,
223 Mississippi Constitution of 1890, or any crime interpreted as
224 disenfranchising in later Attorney General opinions, shall also be



225 entered into the Statewide Elections Management System on a
226 quarterly basis. Voters who have been convicted in a Mississippi
227 state court of any disenfranchising crime and who have not
228 registered to vote subsequent to being granted a Certificate of
229 Eligibility to Register to Vote are not qualified electors as
230 defined by Section 23-15-11 and shall be purged or otherwise
231 removed by the county registrar or county election commissioners
232 from the Statewide Elections Management System.

233 **SECTION 6.** This act shall take effect and be in force from
234 and after July 1 in the year following the year in which the
235 Secretary of State certifies the passage of the constitutional
236 amendment proposed in House Concurrent Resolution No. ____, 2026
237 Regular Session.

