

By: Senator(s) England, McLendon

To: Elections

SENATE BILL NO. 2588
(As Sent to Governor)

1 AN ACT TO BE KNOWN AS THE "SAFEGUARD HONEST INTEGRITY IN
2 ELECTIONS FOR LASTING DEMOCRACY (SHIELD) ACT"; TO AMEND SECTION
3 23-15-15, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURE BY
4 WHICH A REGISTRAR VERIFIES AN APPLICANT'S CITIZENSHIP UPON RECEIPT
5 OF A COMPLETED VOTER REGISTRATION APPLICATION; TO REQUIRE THE
6 REGISTRAR TO ENTER EACH APPLICANT'S INFORMATION INTO THE UNITED
7 STATES CITIZENSHIP AND IMMIGRATION SERVICE'S SYSTEMATIC ALIEN
8 VERIFICATION FOR ENTITLEMENTS (SAVE); TO REQUIRE REGISTRARS TO
9 MAKE ANNUAL REPORTS TO THE SECRETARY OF STATE REGARDING THE NUMBER
10 OF APPLICANTS FLAGGED BY A SAVE SYSTEM CHECK AND THE NUMBER
11 REMOVED FOLLOWING CONFIRMATION; TO CREATE NEW SECTION 23-15-165.1,
12 MISSISSIPPI CODE OF 1972, TO REQUIRE THE SECRETARY OF STATE TO
13 CONDUCT AN ANNUAL COMPARISON OF THE STATEWIDE ELECTIONS MANAGEMENT
14 SYSTEM RECORDS WITH THE SAVE DATABASE AND TO REPORT INELIGIBLE
15 MATCHES TO THE APPROPRIATE ELECTION COMMISSIONER; TO CREATE NEW
16 SECTION 23-15-165.2, MISSISSIPPI CODE OF 1972, TO REQUIRE THE
17 SECRETARY OF STATE TO ANNUALLY REPORT TO THE LEGISLATURE ON THE
18 RESULTS ACHIEVED WITH THE SAVE SYSTEM; TO CREATE NEW SECTION
19 23-15-165.3, MISSISSIPPI CODE OF 1972, TO EXEMPT PERSONALLY
20 IDENTIFIABLE INFORMATION COLLECTED THROUGH USE OF THE SAVE SYSTEM
21 FROM THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; TO CREATE NEW
22 SECTION 23-15-165.4, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR
23 SEVERABILITY OF THE PROVISIONS OF THE PRECEDING SECTIONS; AND FOR
24 RELATED PURPOSES.

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

26 **SECTION 1.** This act shall be known and may be cited as the
27 "Safeguard Honest Integrity in Elections for Lasting Democracy
28 (SHIELD) Act".



29 **SECTION 2.** Section 23-15-15, Mississippi Code of 1972, is
30 amended as follows:

31 23-15-15. (1) * * * Upon receiving a completed voter
32 registration application, the registrar shall enter the applicant
33 into the Statewide Elections Management System. The registration
34 application shall be compared with the Department of Public Safety
35 driver's license and identification information. If such
36 information indicates that a particular applicant is not a citizen
37 of the United States, the Statewide Elections Management System
38 shall notify the registrar, or his or her designee, that the
39 applicant may not be a citizen of the United States. However, if
40 an applicant does not provide the applicant's driver's license
41 number on the application and the Statewide Elections Management
42 System is unable to retrieve the same from the Department of
43 Public Safety based on the other information provided, the
44 registrar shall follow the procedures set out in paragraph (a) of
45 this subsection and all other provisions of this section as if
46 information from the Department of Public Safety indicated the
47 applicant was a noncitizen. * * * After receiving the notice from
48 the Statewide Elections Management System as provided in * * *
49 this subsection, the registrar, or his or her designee, shall:

50 (a) Enter the applicant's information into the United
51 States Citizenship and Immigration Service's Systematic Alien
52 Verification for Entitlements (SAVE) or its successor database for
53 further inquiry; and



54 (b) If * * * either of the databases in * * * this
55 subsection indicate that the applicant is not a citizen, send a
56 notice by first-class mail to the applicant's mailing address
57 provided on the voter registration application inquiring whether
58 the individual is eligible to be registered to vote. The
59 registrar may, in addition to first-class mail, contact the
60 applicant by email or telephone.

61 (* * *2) Any applicant who receives the notice under
62 paragraph (b) of subsection * * * (1) of this section shall,
63 within thirty (30) days of the receipt of such notice, provide
64 proof of citizenship to the registrar or his or her designee.

65 (* * *3) For purposes of this section, proof of citizenship
66 includes, but is not limited to:

67 (a) The applicant's birth certificate or a legible
68 photocopy of the birth certificate;

69 (b) A United States passport, or a legible photocopy of
70 the pertinent pages of the passport, identifying the applicant and
71 showing the passport number;

72 (c) The applicant's United States naturalization
73 documentation, a legible photocopy of the naturalization
74 documentation, or the number of the applicant's Certificate of
75 Naturalization; except that any person who provides the number of
76 the Certificate of Naturalization in lieu of the naturalization
77 documentation shall not be deemed to have provided proof of
78 citizenship until the number is verified with the United States



79 Citizenship and Immigration Services in the Department of Homeland
80 Security or its successor; or

81 (d) Any document or method of proof of citizenship
82 established by the Federal Immigration Reform and Control Act of
83 1986, Public Law 99-603, compiled in 8 USC Section 1101 et seq.

84 (* * *4) If the applicant provides proof of citizenship and
85 meets all other qualifications provided by law, the registrar
86 shall register the applicant to vote.

87 (* * *5) If the applicant does not reply to the notice or
88 provide proof of citizenship, the registrar of the county, or his
89 or her designee, where the person registered to vote shall mark
90 the applicant as "PENDING" in the Statewide Elections Management
91 System * * *.

92 (a) A voter in pending status may cast an affidavit
93 ballot. The affidavit ballot shall be considered if the voter
94 provides the required documentation under subsection (* * *3) of
95 this section to the registrar within five (5) days of casting the
96 affidavit ballot.

97 (b) If the applicant fails to respond to the notice or
98 cast an affidavit ballot and provide the proof described in
99 subsection (* * *3) of this section * * * during the period
100 beginning on the date the notice was sent and ending on the day
101 after the date of the second general election for federal office
102 that occurs after the date of the notice, the registrar shall mark



103 the applicant as "REJECTED" in the Statewide Elections Management
104 System.

105 (6) The registrar shall report to the Secretary of State on
106 an annual basis:

107 (a) The number of registrants flagged by a SAVE system
108 check; and

109 (b) The number removed following confirmation.

110 (* * *7) All documentation provided to show proof of
111 citizenship as well as the Department of Public Safety database or
112 relevant federal and state agency and county records shall be
113 confidential and shall not be subject to inspection, examination,
114 copying or reproduction under the Mississippi Public Records Act
115 of 1983.

116 **SECTION 3.** The following shall be codified as Section
117 23-15-165.1, Mississippi Code of 1972:

118 23-15-165.1. (1) The Secretary of State shall conduct a
119 check annually of Statewide Elections Management System records
120 against the United States Citizenship and Immigration Service's
121 Systematic Alien Verification for Entitlements (SAVE) or its
122 successor database. The check must occur no later than one
123 hundred eighty (180) days before a regularly scheduled federal
124 general election.

125 (2) The Secretary shall transmit any potential ineligible
126 matches to the appropriate election commissioner, who shall send a
127 notice under Section 23-15-15 inquiring whether the individual is



128 eligible to be registered to vote and place the voter in pending
129 verification status until the voter provides proof of citizenship
130 as outlined in subsections (2) through (5) of Section 23-15-15.

131 (3) A removal may not occur solely based on a SAVE match.
132 Cancellation may occur only upon failure to respond or
133 confirmation of ineligibility.

134 (4) A SAVE-based removal may not occur during the ninety
135 (90) days before a federal election.

136 **SECTION 4.** The following shall be codified as Section
137 23-15-165.2, Mississippi Code of 1972:

138 23-15-165.2. The Secretary of State shall submit an annual
139 report to the Legislature detailing:

140 (a) The number of registrants flagged by a SAVE system
141 check;

142 (b) The number removed following confirmation; and

143 (c) Recommendations for improvement.

144 **SECTION 5.** The following shall be codified as Section
145 23-15-165.3, Mississippi Code of 1972:

146 23-15-165.3. SAVE data must be used in compliance with
147 federal and state data protections laws. Personally identifiable
148 information is exempt from public disclosure under the Mississippi
149 Public Records Act of 1983 (Sections 25-61-1 through 25-61-19).

150 **SECTION 6.** The following shall be codified as Section
151 23-15-165.4, Mississippi Code of 1972:



152 23-15-165.4. If any provision of Sections 23-15-165.1
153 through 23-15-165.4 is held invalid, the remainder shall remain in
154 effect.

155 **SECTION 7.** This act shall take effect and be in force from
156 and after July 1, 2026.

