MISSISSIPPI LEGISLATURE REGULAR SESSION 2012

By: Senator(s) Harden

To: Elections; Judiciary, Division B

SENATE BILL NO. 2421

AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON CONVICTED OF A CRIME UPON COMPLETION OF THE SENTENCE IMPOSED SHALL BE AUTOMATICALLY ELIGIBLE TO VOTE; AND FOR RELATED PURPOSES.

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

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

23-15-11. (1) Every inhabitant of this state shall be a qualified elector in and for the county, municipality and voting precinct of his residence, and shall be entitled to vote at any election if the person:

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

(b) Is eighteen (18) years old or older;

(c) * * * Has resided in this state for thirty (30) days, and for thirty (30) days in the county in which he seeks to vote, and for thirty (30) days in the incorporated municipality in which he seeks to vote, and who has been duly registered as an elector under Section 23-15-33; * * *

(d) Has not been adjudicated non compos mentis by a final judgment of a court; and

(e) Has not been finally convicted of a felony other than the following: manslaughter, any violation of the United States Internal Revenue Code, or any violation of the tax laws of this state; or, if so convicted, has:

(i) Fully discharged the person's sentence, including any term of incarceration, parole or supervision, or completed a period of probation ordered by any court; or

(ii) Been pardoned or otherwise released from the resulting disability to vote.

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

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

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

SECTION 3. This act shall take effect and be in force from and after the date it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended, provided that an amendment to the Constitution making the necessary changes to Section 241, Mississippi Constitution of 1890, is certified by the Secretary of State as having been ratified by the people.