MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Banks

To: Constitution; Judiciary B

HOUSE CONCURRENT RESOLUTION NO. 7

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 241, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT A PERSON WHO IS OTHERWISE A QUALIFIED ELECTOR AND HAS BEEN CONVICTED OF A FELONY SHALL HAVE HIS OR HER RIGHT TO VOTE SUSPENDED UPON CONVICTION AND SHALL NOT HAVE HIS OR HER RIGHT TO VOTE RESTORED UNTIL HE OR SHE HAS SATISFIED ALL OF THE SENTENCING REQUIREMENTS OF THE CONVICTION; AND PROPOSING THE REPEAL OF SECTION 253, MISSISSIPPI CONSTITUTION OF 1890, WHICH PROVIDES THAT THE LEGISLATURE MAY, BY A TWO-THIRDS VOTE OF BOTH HOUSES, OF ALL MEMBERS ELECTED, RESTORE THE RIGHT OF SUFFRAGE TO ANY PERSON DISQUALIFIED BY REASON OF CRIME.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI, That the following amendments to the Mississippi Constitution of 1890 are proposed to the qualified electors of the state:

I.

Amend Section 241, Mississippi Constitution of 1890, to read as follows:

"Section 241. <u>(1)</u> Every inhabitant of this state, except idiots and insane persons, <u>shall be a qualified elector if he or she is:</u>

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

(b) Eighteen (18) years old and upward * * *;

(c) * * * A resident of this state for one (1) year, and for one (1) year in the county in which he or she offers to vote, and for six (6) months in the election precinct or in the incorporated city or town in which he or she offers to vote * * *; and

(d) * * * Duly registered as provided in this article * * *.

(2) A person who is otherwise a qualified elector under the provisions of subsection (1) and has been convicted of a felony shall have his or her right to vote suspended upon conviction and shall not have his or her right to vote restored until he or she has satisfied all of the sentencing requirements of the conviction.

(3) * * * A person shall be qualified to vote for President and Vice President of the United States if he or she meets the requirements established by Congress therefor and is otherwise a qualified elector."

II.

Amend the Mississippi Constitution of 1890 by repealing Section 253, which reads as follows:

"Section 253. The Legislature may, by a two-thirds vote of both houses, of all members elected, restore the right of suffrage

to any person disqualified by reason of crime; but the reasons therefor shall be spread upon the journals, and the vote shall be by yeas and nays."

BE IT FURTHER RESOLVED, That these proposed amendments shall be submitted by the Secretary of State to the qualified electors at an election to be held on the first Tuesday after the first Monday of November 2021, as provided by Section 273 of the Constitution and by general law, with the amendments in this resolution being voted on as one (1) amendment since the proposed amendments pertain to one (1) subject.

BE IT FURTHER RESOLVED, That the explanation of this proposed amendment for the ballot shall read as follows: "This proposed constitutional amendment provides that a person who is otherwise a qualified elector and has been convicted of a felony shall have his or her right to vote suspended upon conviction and shall not have his or her right to vote restored until he or she has satisfied all of the sentencing requirements of the conviction."