

By: Representatives Powell, Shanks, Wallace,  
Horne, Boyd

To: Apportionment and  
Elections

HOUSE BILL NO. 1510  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE REGISTRAR UPON RECEIVING A COMPLETED VOTER  
3 REGISTRATION APPLICATION TO ENTER AN APPLICANT INTO THE STATEWIDE  
4 ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE THAT THE REGISTRATION  
5 APPLICATION SHALL BE COMPARED WITH THE DEPARTMENT OF PUBLIC SAFETY  
6 DRIVER'S LICENSE AND IDENTIFICATION INFORMATION; TO REQUIRE THE  
7 STATEWIDE ELECTIONS MANAGEMENT SYSTEM TO NOTIFY THE REGISTRAR IF  
8 SUCH INFORMATION REFLECTS THAT THE APPLICANT IS NOT A CITIZEN OF  
9 THE UNITED STATES; TO REQUIRE THE REGISTRAR TO NOTIFY CERTAIN  
10 APPLICANTS; TO REQUIRE AN APPLICANT WHO RECEIVES NOTICE UNDER THIS  
11 SECTION TO PROVIDE PROOF OF CITIZENSHIP TO THE REGISTRAR; TO  
12 PROVIDE THE DOCUMENTATION THAT MAY BE SUBMITTED AS PROOF OF  
13 CITIZENSHIP; TO REQUIRE THE REGISTRAR TO MARK THE APPLICANT AS  
14 REJECTED WHERE THE APPLICANT FAILS TO RESPOND TO THE NOTICE OR TO  
15 PROVIDE PROOF OF CITIZENSHIP WITHIN A CERTAIN PERIOD OF TIME; TO  
16 ESTABLISH AN APPEAL PROCEDURE; TO AMEND SECTION 23-15-5,  
17 MISSISSIPPI CODE OF 1972, TO REVISE THE MONIES THAT ARE DEPOSITED  
18 INTO THE ELECTIONS SUPPORT FUND; AND FOR RELATED PURPOSES.

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

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

22 23-15-15. \* \* \* (1) Upon receiving a completed voter  
23 registration application, the registrar shall enter the applicant  
24 into the Statewide Elections Management System. Said registration  
25 application shall be compared with the Department of Public Safety  
26 driver's license and identification information. If such



27 information indicates that a particular applicant is not a citizen  
28 of the United States, the Statewide Elections Management System  
29 shall notify the registrar, or his or her designee, that the  
30 applicant may not be a citizen of the United States.

31 (2) After receiving the notice from the Statewide Elections  
32 Management System as provided in subsection (1) of this section,  
33 the registrar, or his or her designee, shall:

34 (a) Enter the applicant's information into the United  
35 States Citizenship and Immigration Service's Systematic Alien  
36 Verification for Entitlements (SAVE) or its successor database for  
37 further inquiry; and

38 (b) If both the Department of Public Safety driver's  
39 license and identification information and the database in  
40 paragraph (a) of this subsection indicate that the applicant is  
41 not a citizen, send a notice by first-class mail to the  
42 applicant's mailing address provided on the voter registration  
43 application inquiring whether the individual is eligible to be  
44 registered to vote. The registrar may, in addition to first-class  
45 mail, contact the applicant by email or telephone.

46 (3) Any applicant who receives the notice under subsection  
47 (2)(b) of this section shall, within thirty (30) days of the  
48 receipt of such notice, provide proof of citizenship to the  
49 registrar or his or her designee.

50 (4) For purposes of this section, proof of citizenship  
51 includes, but is not limited to:



52           (a) The applicant's birth certificate or a legible  
53 photocopy of the birth certificate;

54           (b) A United States passport, or a legible photocopy of  
55 the pertinent pages of the passport, identifying the applicant and  
56 showing the passport number;

57           (c) The applicant's United States naturalization  
58 documentation, a legible photocopy of the naturalization  
59 documentation, or the number of the applicant's Certificate of  
60 Naturalization; except that any person who provides the number of  
61 the Certificate of Naturalization in lieu of the naturalization  
62 documentation shall not be deemed to have provided proof of  
63 citizenship until the number is verified with the United States  
64 Citizenship and Immigration Services in the Department of Homeland  
65 Security or its successor; or

66           (d) Any document or method of proof of citizenship  
67 established by the Federal Immigration Reform and Control Act of  
68 1986, Public Law 99-603, compiled in 8 USC Section 1101 et seq.

69           (5) If the applicant provides proof of citizenship and meets  
70 all other qualifications provided by law, the registrar shall  
71 register the applicant to vote.

72           (6) If the applicant does not reply to the notice or provide  
73 proof of citizenship, the registrar of the county, or his or her  
74 designee, where the person registered to vote shall mark the  
75 applicant as "PENDING" in the Statewide Elections Management  
76 System until the next federal general election:



77           (a) A voter in pending status may cast an affidavit  
78 ballot. The affidavit ballot shall be considered if the voter  
79 provides the required documentation under subsection (4) of this  
80 section to the registrar within five (5) days of casting the  
81 affidavit ballot.

82           (b) If the applicant fails to respond to the notice or  
83 cast an affidavit ballot and provide the proof described in  
84 subsection (4) of this section by the next federal general  
85 election, the registrar shall mark the applicant as "REJECTED" in  
86 the Statewide Election Management System.

87           **SECTION 2.** Section 23-15-5, Mississippi Code of 1972, is  
88 amended as follows:

89           23-15-5. (1) There is created in the State Treasury a  
90 special fund to be known as the Elections Support Fund. Monies  
91 derived from annual report fees imposed upon limited liability  
92 companies under Section 79-29-1203 shall be deposited into the  
93 Elections Support Fund. Unexpended amounts remaining in the fund  
94 at the end of the fiscal year shall not lapse into the State  
95 General Fund, and any interest earned or investment earnings on  
96 amounts in the fund shall be disbursed as provided in subsection  
97 (2) of this section. The expenditure of monies in the fund shall  
98 be under the direction of the Secretary of State as provided by  
99 subsection (2) of this section, and such funds shall be paid by  
100 the State Treasurer upon warrants issued by the Department of  
101 Finance and Administration.



102 (2) (a) Monies in the fund shall be used as follows:

103 (i) \* \* \* Seventy percent (70%) of the monies in  
104 the special fund shall be distributed annually to the counties,  
105 upon appropriation of the Legislature, based on the proportion  
106 that the population of a county bears to the total population in  
107 all counties of the state population according to the most recent  
108 information from the United States Census Bureau, and held in a  
109 separate fund solely for the purpose of acquiring, upgrading,  
110 maintaining or repairing voting equipment, systems and supplies,  
111 hiring temporary technical support, conducting elections using  
112 such voting equipment or systems, employing such personnel to  
113 conduct an election, and training election officials; and

114 (ii) The remaining \* \* \* thirty percent (30%) of  
115 the monies in the special fund shall be deposited in the State  
116 General Fund.

117 (b) The Secretary of State shall create standard  
118 training guidelines to assist counties in training election  
119 officials with the funds authorized under subsection (2)(a)(ii) of  
120 this section. Any criteria established by the Secretary of State  
121 for the purposes of this section shall be used in addition to any  
122 other training or coursework prescribed by the Secretary of State  
123 to train circuit clerks, poll managers and any other election  
124 officials participating in county elections.

125 (c) Notwithstanding any other provision of law, no  
126 monies from the Elections Support Fund shall be used by the



127 Secretary of State or any person associated with the Office of the  
128 Secretary of State to provide or otherwise support expert  
129 testimony in any manner for any hearing, trial or election  
130 contest.

131 (3) From and after July 1, 2017, none of the monies  
132 deposited in the Elections Support Fund may be used to reimburse  
133 or otherwise defray any costs that the Office of the Secretary of  
134 State may incur in administering the fund.

135 (4) From and after July 1, 2016, no state agency shall  
136 charge another state agency a fee, assessment, rent or other  
137 charge for services or resources received by authority of this  
138 section.

139 **SECTION 3.** This act shall take effect and be in force from  
140 and after its passage.

