

MISSISSIPPI BILL TEXT

VERSION: Introduced

January 11, 2007
Bailey

MISSISSIPPI LEGISLATURE
2007 Regular Session

To: Apportionment and Elections

By: Representative Bailey

House Bill 786

AN ACT TO CREATE THE 'CRIMINAL DEFENDANTS' VOTING RIGHTS NOTIFICATION ACT'; TO REQUIRE COURTS TO NOTIFY CRIMINAL DEFENDANTS OF THEIR VOTING RIGHTS; TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO NOTIFY INDIVIDUALS OF THEIR VOTING RIGHTS UPON RELEASE FROM INCARCERATION AND TO PROVIDE VOTER REGISTRATION FORMS AND ASSISTANCE IN COMPLETING VOTER REGISTRATION FORMS; TO REQUIRE THE SECRETARY OF STATE TO PUT IN PLACE TRAINING AND EDUCATION COMPONENTS REGARDING THE VOTING RIGHTS OF CONVICTED INDIVIDUALS; AND FOR RELATED PURPOSES.

TEXT:

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

SECTION 1. This act shall be known and may be cited as the 'Criminal Defendants' Voting Rights Notification Act.'

SECTION 2. (1) A court shall notify a defendant that a conviction will result in the loss of the right to vote before such defendant accepts a plea of guilty or nolo contendere to a crime listed in [Section 241, Mississippi Constitution of 1890](#), and before the sentence for such a crime is imposed.

(2) A court shall notify a defendant that a conviction will not result in the loss of the right to vote before such defendant accepts a plea of guilty or nolo contendere to a crime that is not listed in [Section 241, Mississippi Constitution of 1890](#), and before the sentence for such a crime is imposed.

SECTION 3. Notwithstanding any other provision of law, the Department of Corrections shall notify any person convicted of a crime not listed in [Section 241, Mississippi Constitution of 1890](#), in writing and as a part of the release process from a correctional facility that such person retained the right to vote during incarceration, and provide the person with a voter registration form. If any

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person declines to accept the voter registration form, the department must have such person sign a form noting that the registration form was offered to and declined by such person.

SECTION 4. The Secretary of State shall ensure that all persons who are eligible to vote face no continued barriers to registration or voting resulting from their felony convictions by developing and implementing a program to educate attorneys, judges, election officials, corrections officials, including parole and probation officers, and members of the public as required by this act, in the following manner:

(a) Judges are informed of their obligation to notify criminal defendants of the potential loss or retention of their voting rights, in accordance with this act.

(b) The language on voter registration forms makes clear that only people convicted of crimes listed in [Section 241, Mississippi Constitution of 1890](#), are disqualified from voting and that all others retain the right to vote.

(c) Probation and parole officers are informed of which convicted individuals lose their voting rights and which convicted individuals retain their voting rights and are prepared to notify probationers and parolees of their rights.

(d) Accurate and complete information about the voting rights of people who have been charged with or convicted of crimes, whether disfranchising or not, is made available through a single publication to government officials and the public.

SECTION 5. 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 6. 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.

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