NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI
SECRETARY OF STATE
ELECTIONS DIVISION

Secretary of State
c/o Linda Rigsby
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Jackson, Mississippi 39205
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Specific Legal Authority authorizing the promulgation of Rule: Sections 23-15-165 of Miss. Code Ann.
Reference to Rules repealed, amended or suspended by the Proposed Rule: New Rule

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: State law provides that Copies of statewide, district, county or municipal voter registration files, excluding social security numbers, telephone numbers and date of birth and age information, shall be provided to any person in accordance with the Mississippi Public Records Act of 1983 at a cost not to exceed the actual cost of production.

This rule is proposed as a ☒Final Rule, and/or a ☒ Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

☐An oral proceeding is scheduled on this rule on Date: {Insert Date} Time: {Insert Time}
Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least five (5) days prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☒ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

☒The agency has determined that an economic impact statement is not required for this rule, or

☐The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: February 9, 2007

Proposed Effective Date of Rule: February 9, 2007

Linda Rigsby

Linda Rigsby, Assistant Secretary of State

105.101 Purpose.

State law provides that "Copies of statewide, district, county or municipal voter registration files, excluding social security numbers, telephone numbers and date of birth and age information, shall be provided to any person in accordance with the Mississippi Public Records Act of 1983 at a cost not to exceed the actual cost of production." (See Miss. Code Ann. § 23-15-165). The Secretary of State's Office also adheres to the Mississippi Public Records Act (See Miss. Code Ann. § 25-61-1 et seq.).

105.102 Public Record Exemptions..

Based on state law, the following information will not be provided in response to public requests in order to prevent any kind of abuse of such information and/or identity theft:

- Voter number assigned by the county;
- Social Security Number;
- Date of Birth;
- Driver's license number;
- Any telephone, Fax, or E-mail information on file;
- Any custom fields;
- Last jury date.

Please see the chart attached for a summary of the voter information to be provided by our office.

105.103 Non-solicitation policy.

Any voter registration data provided shall not be used for the purpose of mailing or delivering any solicitation for money, services, or anything of value. This policy is used by many other states to protect voters from unwanted commercial solicitations.

105.104 Cost of production.

Cost: $100 set-up fee for all electronic data SEMS requests plus additional costs as listed below. Payment is required upon delivery.

Additional costs (does not include set-up fee):

- County, county district, municipal or municipal district office: $ 250
- State legislative district, Judicial district (Chancery or Circuit Court, District Attorney), or comparable office involving more than one county that does not fall into the next tier: $ 500
- Congressional district, Supreme Court district, Court of Appeals district: $1,000
- Statewide list: $2,000

Note: Purchase includes one free update within one calendar year upon request. Any 2006 purchaser of a voter file from the Secretary of State's Office may request one free update at no charge in 2007.

105.105 Information Provided.

Proposed Voter File Information to be provided upon request in accordance with official policies:

A comma separated value (CSV) text file format will include data elements listed below, in the order these columns will be placed in the file. If a voter record does not have a value for a specific data element, the column will be empty.

Sr Num	Column Name	Column Header	Description
1	First Name	First Name	First name of the voter
2	Middle Name	Middle Name	Middle Name of the voter
3	Last Name	Last Name	Last Name of the voter
4	Suffix	Suffix	Suffix of the voter
5	Residence Address	Residence Address	Residence address of the voter. For standard or non-standard addresses, this will be a String-concatenated value.
6	Residence City	Residence City	City of the voter's residence address
7	Residence State	Residence State	Residence State of the voter's residence address (Always "MS")
8	Residence Zip	Residence Zip	Zip (and Zip Plus where available) of voter's residence address
9	Residence County	County of Residence	County that the voter record belongs to.
10	Mailing Address	Mailing Address	Mailing address of the voter.
11	Mailing City	Mailing City	City of the voter's mailing address
12	Mailing State	Mailing State	State of the voter mailing address
13	Mailing Zip	Mailing Zip	Zip (and Zip Plus where available) of voter's mailing address
14	Registration Date	Registration Date	Date of Registration of the voter record in mm/dd/yyyy format
15	Registration Source	Registration Source	Source of Registration of the voter's record
16	Voter Status	Voter Status	Status of the voter (i.e., Active, Inactive, Pending, or Purged)
17	Last Vote Date	Last Vote Date	Date Last Voted of the voter in mm/dd/yyyy format
18	Selected	District type	The number of these columns will depend upon

	Districts	code	the number of districts selected for output. Each of these columns will have the district type code (example SEN for Senate) in the header and the district code (like 45, 4 etc) in the voter record row.
19	Voting Dates with party code	Vote Date	This section will have the Voting History (dates of the elections they voted in) for the voter, in descending order (Latest voted date first). If the election date is for a primary election, the party code will be attached to the voted date in parentheses (Example 06/06/2006 (DEM)). Each voter can have a different number of such columns depending upon the number of time they had voted during the specified date range.