

Part 19. Mississippi Voting Modernization Act Grant Program (“MVMGP”)

The purpose of the MVMGP is to provide for the reimbursing or disbursing of funds to counties that have already purchased modern voting equipment or are purchasing modern voting equipment in order to ensure safe and secure elections in the State of Mississippi. These rules set forth requirements specifically enumerated in Miss. Code Ann. Section and provide for procedures not specially enumerated, as required by Section 3(2) of S.B. 2879 (2022 Regular Session).

Source: S.B. 2879 (2022 Regular Session).

Chapter 1. Definitions

Pt. 19, R. 1.1. Definitions

For the purposes of these rules the below terms mean the following:

A. “Voting systems” means any voting machine, voting device, precinct ballot scanner, central scanner, ballot-marking device, ballot-on-demand printing system, tabulation server or vote tabulating device, along with necessary operating software, that:

- (i) Does not utilize pre-scored punch card ballots; and
- (ii) Produces a voter verifiable paper ballot; and
- (iii) Does not have the capability for remote wireless connection.

Note: “Does not have the capability for remote wireless connection” means that voting systems do not contain any hardware that would allow remote wireless connection.

B. “Systems that produce voter verifiable paper ballots” include voting systems that process and count ballots that have been marked by either a voter or ballot-marking device, or a voting system that produce a ballot that can be verified by a voter before being counted by a precinct ballot scanner or central scanner.

C. The Mississippi Secretary of State may otherwise be referred herein as the “Secretary”.

D. "Grant program" means the "Mississippi Voting Modernization Grant Program" and may also be referred herein as “MVMGP”.

Source: S.B. 2879 (2022 Regular Session)

Chapter 2. Procedures

Pt. 19, R.2.1 Procedures

A. Counties may apply for grants through the Secretary for the reimbursement of, or future purchase of the following:

- 1. voting systems; or

2. other eligible expenses related to the costs of conducting elections only if the applicant county can certify in writing:
 - i. that it is already in compliance with Section 2 of S.B. 2879 (2022 Regular Session); or
 - ii. that such expenses will only be purchased from funds remaining from a pro rata share after a county has purchased the necessary voting systems to bring the applicant county in compliance with Section 2 of S.B. 2879 (2022 Regular Session).
 3. Any county receiving funds for other eligible expenses incurred shall first apply the received funds under the grant program toward any existing indebtedness for the purchase of voting systems. The Secretary may require counties to submit certification from voting system vendor(s) that prior indebtedness, if any, has been satisfied before authorizing the release of additional funds to the county applicants.
- B. Other eligible expenses include but are not limited to:
1. machine maintenance and security;
 2. software upgrades;
 3. ballot-marking devices;
 4. central scanners;
 5. ballot-on-demand printing systems;
 6. electronic poll books;
 7. paper ballots or ballot-printing supplies;
 8. costs associated with voter roll maintenance, such as printing confirmation cards and postage;
 9. ensuring compliance with the American with Disabilities Act; and
 10. training local election officials, such as poll managers and resolution board members;
- C. Each applicant for a grant under the MVMGP must complete a written application. A copy of the application is set forth as Appendix A in these rules. In addition to any information set forth in the application, applicants must provide the following information:
1. the eligible costs for which the applicant seeks funding;
 2. documentation from vendor(s) of balance of debt owed by the applicant, and/or a verified contract and purchase order from vendor for future purchase by applicant specifying the eligible voting system components;
 3. if the eligible amounts are for items other than satisfaction of previously incurred debt for voting systems, an executed affidavit that the applicant has no existing debt; and

4. if the applicant county is requesting a grant for the future purchase of a voting system, then it shall, in addition to providing verified contract and purchase order, also submit proof of payment to the Secretary immediately upon completing the purchase;
 5. Written certification from the voting system vendor that the voting system does not have the capability for remote wireless communication.
- D. The Secretary will process the applications for the funds allocated under the grant program. The Secretary will review any applications and grant or deny the same within 30 calendar days of receipt of submitted application. Review may include requests for additional information or documentation to be submitted by the applicant to ensure compliance with the MVMGP. If additional documentation or information is requested, the application will be considered incomplete until the requested documentation or information is received. Failure to provide any requested information may result in a denial and rejection of the application.

E. Threshold for Compliance

No later than December 1, 2023, all applicants must be able to certify all the following:

1. that DRE voting systems are not being utilized;
2. that voting systems in use are not capable of wireless remote connections;
3. all voting systems in use have voter verifiable paper ballots; and
4. voting systems are otherwise compliant with the Help America Vote Act (“HAVA”).

Pt. 19, R.2.2 Funds Availability. The Secretary shall determine the funds available to counties in accordance with the methods and procedures set forth in the MVMGP, provided all statutory and regulatory requirements are met. Each county will receive a pro rata share of \$8,700,000, as appropriated by the Legislature. The pro rata share will be based on precincts in each county as they existed on April 21, 2022, when the Act was signed by the Governor of Mississippi and was effective upon passage. However, precincts that had no voters assigned to them or that were labeled as being for purged voters were not included the total calculation of precincts due to fact that they had no assigned votes as of April 21, 2022.

Appendix A
MVMGP Grant Application Form

2022 Mississippi Voting Modernization Act Grant Program (“MVMGP”) Grant Application Form

County: _____

Person Completing Application: _____

Title/Position: _____

Phone Number: _____

Fax Number: _____

Email: _____

Additional Documents Checklist. Please check all that apply:

Voting Systems:

- _____ Copy of Contract/Invoice attached
- _____ Verification from Vendor that Systems does not utilize pre-scored punch card ballots, produces voter verifiable paper ballots; and does not have capability for

remote wireless connection. (For the purposes of this grant, capability for remote wireless connection includes having internal hardware that could allow for wireless communication such as wi-fi or Bluetooth.)

Other Eligible Expenses:

- _____ Copy of Contract/Invoice attached
- _____ Verification that existing voting systems already in compliance with MVMGP
- _____ Affidavit of no existing debt
- _____ If existing systems not already in compliance with MVMGP, certification that grant money will only be applied to other eligible expenses from funds remaining after applicant county is in compliance with MVMGP

Outstanding Indebtedness:

- _____ Certification from voting system vendor as to balance owed.
- _____ Copy contract and purchase order
- _____ Verification from Vendor that Systems does not utilize pre-scored punch card ballots, produces voter verifiable paper ballots; and does not have capability for remote wireless connection. (For the purposes of this grant, capability for remote wireless connection includes having internal hardware that could allow for wireless communication such as wi-fi or Bluetooth.)

Table A: Total Grant Request

Grant Area	Details and Proposed Date of Purchase	Proposed Cost
Voting Systems	Type of System: _____ Date of Purchase: _____ Vendor: _____ Manufacturer and Model No of System: _____ _____	\$

<p>Other Eligible Expenses</p>	<p>Itemized other eligible expenses:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>\$</p> <p>\$</p> <p>\$</p> <p>\$</p> <p>\$</p> <p>\$</p> <p>\$</p> <p>\$</p> <p>\$</p> <p>\$</p> <p>\$</p> <p>\$</p> <p>\$</p>
<p>Outstanding Indebtedness owed for existing voting systems (attach required documentation)</p>	<p>Type of System: _____</p> <p>Date of Purchase: _____</p> <p>Vendor: _____</p> <p>Manufacturer and Model No of System: _____</p> <p>_____</p> <p>_____</p>	<p>\$</p>
<p>Subtotal voting systems</p>		<p>\$</p>
<p>Subtotal other eligible expenses</p>		<p>\$</p>

Outstanding Indebtedness		\$
TOTAL		\$