

By: Representatives Denny, Blackmon

To: Apportionment and  
ElectionsHOUSE BILL NO. 980  
(As Passed the House)

1 AN ACT TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE COMMISSIONERS OF ELECTION IN EACH COUNTY TO MEET AT  
3 LEAST ONCE A MONTH FOR THE PURPOSE OF REVISING THE REGISTRATION  
4 BOOKS AND POLLBOOKS; TO CHANGE THE BASIS UPON WHICH COMMISSIONERS  
5 OF ELECTION ARE COMPENSATED FROM THE NUMBER OF REGISTERED VOTERS  
6 IN A COUNTY TO THE NUMBER OF RESIDENTS IN A COUNTY; TO REVISE THE  
7 NUMBER OF DAYS THAT COMMISSIONERS OF ELECTION ARE COMPENSATED AND  
8 AUTHORIZE THE TOTAL NUMBER OF DAYS FOR WHICH THEY ARE COMPENSATED  
9 TO BE UTILIZED FOR REVISION OF THE REGISTRATION BOOKS AND  
10 POLLBOOKS AND FOR CONDUCTING ELECTIONS; TO AUTHORIZE THE  
11 COMMISSIONERS OF ELECTION TO RECEIVE A PER DIEM FOR A CERTAIN  
12 AMOUNT OF TIME SPENT CONDUCTING RUNOFF ELECTIONS; AND FOR RELATED  
13 PURPOSES.

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

15 SECTION 1. Section 23-15-153, Mississippi Code of 1972, is  
16 amended as follows:

17 23-15-153. (1) At the following times the commissioners of  
18 election shall meet at the office of the registrar and carefully  
19 revise the registration books and the pollbooks of the several  
20 voting precincts, and shall erase from those books the names of  
21 all persons erroneously on the books, or who have died, removed or  
22 become disqualified as electors from any cause; and shall register  
23 the names of all persons who have duly applied to be registered  
24 and have been illegally denied registration:

25 (a) On the Tuesday after the second Monday in January  
26 1987 and every following year;

27 (b) On the first Tuesday in the month immediately  
28 preceding the first primary election for congressmen in the years  
29 when congressmen are elected;

30 (c) On the first Monday in the month immediately  
31 preceding the first primary election for state, state district,

legislative, county and county district offices in the years in which those offices are elected; and

(d) On the second Monday of September preceding the general election or regular special election day in years in which a general election is not conducted.

In addition, the commissioners of election shall meet at least once a month in the office of the registrar to perform the duties required under this subsection with regard to the revision of the registration books and pollbooks.

Except for the names of those persons who are duly qualified to vote in the election, no name shall be permitted to remain on the registration and pollbooks. Except as otherwise provided by Section 23-15-573, no person shall vote at any election whose name is not on the pollbook.

(2) Except as provided in subsection (3) of this section, and subject to the following annual limitations, the commissioners of election shall be entitled to receive a per diem in the amount of Seventy Dollars (\$70.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the registration books and pollbooks as required in subsection (1) of this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than fifty (50) days per year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than seventy-five (75) days per year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than one hundred (100) days per year;

69           (d) In counties having seventy thousand (70,000)  
70 residents according to the latest federal decennial census but  
71 less than ninety thousand (90,000) residents according to the  
72 latest federal decennial census, not more than one hundred  
73 twenty-five (125) days per year;

74           (e) In counties having ninety thousand (90,000)  
75 residents according to the latest federal decennial census but  
76 less than one hundred seventy thousand (170,000) residents  
77 according to the latest federal decennial census, not more than  
78 one hundred fifty (150) days per year;

79           (f) In counties having one hundred seventy thousand  
80 (170,000) residents according to the latest federal decennial  
81 census but less than two hundred thousand (200,000) residents  
82 according to the latest federal decennial census, not more than  
83 one hundred seventy-five (175) days per year;

84           (g) In counties having two hundred thousand (200,000)  
85 residents according to the latest federal decennial census but  
86 less than two hundred twenty-five thousand (225,000) residents  
87 according to the latest federal decennial census, not more than  
88 one hundred ninety (190) days per year;

89           (h) In counties having two hundred twenty-five thousand  
90 (225,000) residents according to the latest federal decennial  
91 census but less than, two hundred fifty thousand (250,000)  
92 residents according to the latest federal decennial census not  
93 more than two hundred fifteen (215) days per year;

94           (i) In counties having two hundred fifty thousand  
95 (250,000) residents according to the latest federal decennial  
96 census but less than two hundred seventy-five thousand (275,000)  
97 residents according to the latest federal decennial census, not  
98 more than two hundred thirty (230) days per year;

99           (j) In counties having two hundred seventy-five  
100 thousand (275,000) residents according to the latest federal  
101 decennial census, not more than two hundred forty (240) days per

102 year.

103       (3) The commissioners of election shall be entitled to  
104 receive a per diem in the amount of Seventy Dollars (\$70.00), to  
105 be paid from the county general fund, not to exceed ten (10) days  
106 for every day or period of no less than five (5) hours accumulated  
107 over two (2) or more days actually employed in the performance of  
108 their duties for the necessary time spent in the revision of the  
109 registration books and pollbooks prior to any special election.  
110 For purposes of this subsection, the regular special election day  
111 shall not be considered a special election. The annual  
112 limitations set forth in subsection (2) of this section shall not  
113 apply to this subsection.

114       (4) The commissioners of election may be entitled to receive  
115 a per diem in the amount of Seventy Dollars (\$70.00), to be paid  
116 from the county general fund, not to exceed ten (10) days for  
117 every day or period of no less than five (5) hours accumulated  
118 over two (2) or more days actually employed in the performance of  
119 their duties for the necessary time spent in conducting a runoff  
120 election.

121       \* \* \*

122       (5) The commissioners of election shall be entitled to  
123 receive only one (1) per diem payment for those days when the  
124 commissioners of election discharge more than one (1) duty or  
125 responsibility on the same day.

126       (6) The county commissioners of election may provide copies  
127 of the registration books revised pursuant to this section to the  
128 municipal registrar of each municipality located within the  
129 county.

130       (7) Notwithstanding the provisions of this section to the  
131 contrary, the number of days for which the commissioners of  
132 election of a county are entitled to receive compensation shall  
133 not be less than the number of days of compensation they were  
134 entitled to receive during the 1999 calendar year.

135           SECTION 2. The Attorney General of the State of Mississippi  
136 is hereby directed to submit this act, immediately upon approval  
137 by the Governor, or upon approval by the Legislature subsequent to  
138 a veto, to the Attorney General of the United States or to the  
139 United States District Court for the District of Columbia in  
140 accordance with the provisions of the Voting Rights Act of 1965,  
141 as amended and extended.

142           SECTION 3. This act shall take effect and be in force from  
143 and after the date it is effectuated under Section 5 of the Voting  
144 Rights Act of 1965, as amended and extended.