

By: Gibbs, Ellis, Green, Thomas, West

To: Apportionment and Elections

HOUSE BILL NO. 817

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; AND FOR RELATED PURPOSES.

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

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

14 23-15-153. (1) At the following times the commissioners of
 15 election shall meet at the office of the registrar and carefully
 16 revise the registration books and the pollbooks of the several
 17 voting precincts, and shall erase from those books the names of
 18 all persons erroneously on the books, or who have died, removed or
 19 become disqualified as electors from any cause; and shall register
 20 the names of all persons who have duly applied to be registered
 21 and have been illegally denied registration:

22 (a) On the Tuesday after the second Monday in January
 23 1987 and every following year;

24 (b) On the first Tuesday in the month immediately
 25 preceding the first primary election for congressmen in the years

26 when congressmen are elected;

27 (c) On the first Monday in the month immediately
28 preceding the first primary election for state, state district,
29 legislative, county and county district offices in the years in
30 which those offices are elected; and

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

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

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

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

53 (a) In counties having less than fifteen thousand
54 (15,000) residents according to the latest federal decennial
55 census, not more than fifty (50) days per year;

56 (b) In counties having fifteen thousand (15,000)

57 residents according to the latest federal decennial census, but
58 less than thirty thousand (30,000) residents according to the
59 latest federal decennial census, not more than seventy-five (75)
60 days per year;

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

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

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

76 (f) In counties having one hundred seventy thousand
77 (170,000) residents according to the latest federal decennial
78 census but less than two hundred thousand (200,000) residents
79 according to the latest decennial census, not more than one
80 hundred seventy-five (175) days per year.

81 (g) In counties having two hundred thousand (200,000)
82 residents according to the latest federal decennial census, but
83 less than two hundred twenty-five thousand (225,000) residents
84 according to the latest federal decennial census, not more than

85 one hundred ninety (190) days per year;

86 (h) In counties having two hundred twenty-five thousand
87 (225,000) residents according to the latest federal decennial
88 census, but less than two hundred fifty thousand (250,000)
89 residents according to the latest federal decennial census, not
90 more than two hundred fifteen (215) days per year;

91 (i) In counties having two hundred fifty thousand
92 (250,000) residents according to the latest federal decennial
93 census, but less than two hundred seventy-five thousand (275,000)
94 residents according to the latest federal decennial census, not
95 more than two hundred thirty (230) days per year;

96 (j) In counties having two hundred seventy-five
97 thousand (275,000) residents according to the latest federal
98 decennial census, or more, not more than two hundred forty (240)
99 days per year.

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

111 (4) Notwithstanding the provisions of this section to the
112 contrary, the number of days for which the commissioners of

113 election of a county are entitled to receive compensation shall
114 not be less than the number of days of compensation they were
115 entitled to receive during the 1999 calendar year.

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

120 (6) The county commissioners of election may provide copies
121 of the registration books revised pursuant to this section to the
122 municipal registrar of each municipality located within the
123 county.

124 SECTION 2. The Attorney General of the State of Mississippi
125 is hereby directed to submit this act, immediately upon approval
126 by the Governor, or upon approval by the Legislature subsequent to
127 a veto, to the Attorney General of the United States or to the
128 United States District Court for the District of Columbia in
129 accordance with the provisions of the Voting Rights Act of 1965,
130 as amended and extended.

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