

By: Harden

To: Elections

SENATE BILL NO. 2190

1 AN ACT TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE COMMISSIONERS OF ELECTION TO UTILIZE, UNDER CERTAIN
3 CIRCUMSTANCES, CERTAIN EXCESS DAYS FOR WHICH THEY ARE AUTHORIZED
4 TO RECEIVE PER DIEM, EITHER TO PERFORM THEIR DUTIES REGARDING THE
5 REVISIONS OF THE REGISTRATION BOOKS AND POLLBOOKS OR THEIR DUTIES
6 REGARDING THE CONDUCT OF ELECTIONS; TO AUTHORIZE THE COMMISSIONERS
7 OF ELECTION TO RECEIVE A PER DIEM FOR A CERTAIN AMOUNT OF TIME
8 SPENT CONDUCTING A RUNOFF ELECTION; AND FOR RELATED PURPOSES.

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

10 SECTION 1. Section 23-15-153, Mississippi Code of 1972, is
11 amended as follows:[CRG1]

12 23-15-153. (1) At the following times the commissioners of
13 election shall meet at the office of the registrar and carefully
14 revise the registration books and the pollbooks of the several
15 voting precincts, and shall erase from those books the names of
16 all persons erroneously on the books, or who have died, removed or
17 become disqualified as electors from any cause; and shall register
18 the names of all persons who have duly applied to be registered
19 and have been illegally denied registration:

20 (a) On the Tuesday after the second Monday in January
21 1987 and every following year;

22 (b) On the first Tuesday in the month immediately
23 preceding the first primary election for congressmen in the years
24 when congressmen are elected;

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

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

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

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

46 (a) In counties having less than ten thousand (10,000)
47 qualified electors, not more than thirty-five (35) days per year;

48 (b) In counties having ten thousand (10,000) qualified
49 electors but less than twenty thousand (20,000) qualified
50 electors, not more than fifty (50) days per year;

51 (c) In counties having twenty thousand (20,000)
52 qualified electors but less than fifty thousand (50,000) qualified
53 electors, not more than sixty-five (65) days per year;

54 (d) In counties having fifty thousand (50,000)
55 qualified electors but less than seventy-five thousand (75,000)

56 qualified electors, not more than eighty (80) days per year;

57 (e) In counties having seventy-five thousand (75,000)
58 qualified electors but less than one hundred thousand (100,000)
59 qualified electors, not more than ninety-five (95) days per year;

60 (f) In counties having one hundred thousand (100,000)
61 qualified electors but less than one hundred twenty-five thousand
62 (125,000) qualified electors, not more than one hundred ten (110)
63 days per year;

64 (g) In counties having one hundred twenty-five thousand
65 (125,000) qualified electors but less than one hundred fifty
66 thousand (150,000) qualified electors, not more than one hundred
67 twenty-five (125) days per year;

68 (h) In counties having one hundred fifty thousand
69 (150,000) qualified electors but less than one hundred
70 seventy-five thousand (175,000) qualified electors, not more than
71 one hundred forty (140) days per year;

72 (i) In counties having one hundred seventy-five
73 thousand (175,000) qualified electors but less than two hundred
74 thousand (200,000) qualified electors, not more than one hundred
75 fifty-five (155) days per year;

76 (j) In counties having two hundred thousand (200,000)
77 qualified electors or more, not more than one hundred seventy
78 (170) days per year.

79 If the commissioners of election determine that there are
80 days for which they are authorized to receive per diem pursuant to
81 this subsection that are not needed to perform their duties
82 regarding the revision of the registration books and pollbooks,
83 they may utilize such excess days, if necessary, to perform their

84 duties regarding the conduct of elections.

85 (3) The commissioners of election shall be entitled to
86 receive a per diem in the amount of Seventy Dollars (\$70.00), to
87 be paid from the county general fund, not to exceed ten (10) days
88 for every day or period of no less than five (5) hours accumulated
89 over two (2) or more days actually employed in the performance of
90 their duties for the necessary time spent in the revision of the
91 registration books and pollbooks prior to any special election.
92 For purposes of this subsection, the regular special election day
93 shall not be considered a special election. The annual
94 limitations set forth in subsection (2) of this section shall not
95 apply to this subsection.

96 (4) Except as otherwise provided in subsection (5) of this
97 section and subject to the following limitations, the
98 commissioners of election shall be entitled to receive a per diem
99 in the amount of Seventy Dollars (\$70.00), to be paid from the
100 county general fund, for every day or period of no less than five
101 (5) hours accumulated over two (2) or more days actually employed
102 in the performance of their duties in the conduct of an election:

103 (a) In counties having less than ten thousand (10,000)
104 qualified electors, not more than fifteen (15) days per election;

105 (b) In counties having ten thousand (10,000) qualified
106 electors but less than twenty-five thousand (25,000) qualified
107 electors, not more than twenty-five (25) days per election;

108 (c) In counties having twenty-five thousand (25,000)
109 qualified electors but less than fifty thousand (50,000) qualified
110 electors, not more than thirty-five (35) days per election;

111 (d) In counties having fifty thousand (50,000)

112 qualified electors but less than seventy-five thousand (75,000)
113 qualified electors, not more than forty-five (45) days per
114 election;

115 (e) In counties having seventy-five thousand (75,000)
116 qualified electors but less than one hundred thousand (100,000)
117 qualified electors, not more than fifty-five (55) days per
118 election;

119 (f) In counties having one hundred thousand (100,000)
120 qualified electors but less than one hundred fifty thousand
121 (150,000) qualified electors, not more than sixty-five (65) days
122 per election;

123 (g) In counties having one hundred fifty thousand
124 (150,000) qualified electors but less than two hundred thousand
125 (200,000) qualified electors, not more than seventy-five (75) days
126 per election; and

127 (h) In counties having two hundred thousand (200,000)
128 qualified electors or more, not more than eighty-five (85) days
129 per election.

130 If the commissioners of election determine that there are
131 days for which they are authorized to receive per diem pursuant to
132 this subsection that are not needed to perform their duties
133 regarding the conduct of elections, they may utilize such excess
134 days, if necessary, to complete their duties regarding the
135 revision of the registration books and pollbooks.

136 (5) The commissioners of election shall be entitled to
137 receive a per diem in the amount of Seventy Dollars (\$70.00), to
138 be paid from the county general fund, not to exceed ten (10) days
139 for every day or period of no less than five (5) hours accumulated

140 over two (2) or more days actually employed in the performance of
141 their duties for the necessary time spent in conducting a runoff
142 election. The annual limitations set forth in subsection (4) of
143 this section shall not apply to this subsection.

144 (6) The commissioners of election shall be entitled to
145 receive only one (1) per diem payment for those days when the
146 commissioners of election discharge more than one (1) duty or
147 responsibility on the same day.

148 (7) The county commissioners of election may provide copies
149 of the registration books revised pursuant to this section to the
150 municipal registrar of each municipality located within the
151 county.

152 SECTION 2. The Attorney General of the State of Mississippi
153 shall submit this act, immediately upon approval by the Governor,
154 or upon approval by the Legislature subsequent to a veto, to the
155 Attorney General of the United States or to the United States
156 District Court for the District of Columbia in accordance with the
157 provisions of the Voting Rights Act of 1965, as amended and
158 extended.

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