

By: Tollison

To: Elections

SENATE BILL NO. 2842

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 COMMISSIONER 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:[CRG1]

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,

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

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

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

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

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

56 (a) In counties having less than fifteen thousand
57 (15,000) residents according to the latest federal decennial
58 census, not more than fifty (50) days per year;

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

64 (c) In counties having thirty thousand (30,000)
65 residents according to the latest federal decennial census but
66 less than seventy thousand (70,000) residents according to the
67 latest federal decennial census, not more than one hundred (100)
68 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 shall be entitled to
115 receive a per diem in the amount of Seventy Dollars (\$70.00), to
116 be paid from the county general fund, not to exceed ten (10) days
117 for 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 2000 calendar year.

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