

By: Representative Reynolds

To: Apportionment and  
Elections; Fees and Salaries  
of Public Officers

HOUSE BILL NO. 685

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; provided, however, that no  
41 name shall be erased from the registration books or pollbooks  
42 based on a change in the residence of an elector except in  
43 accordance with procedures provided for by the National Voter  
44 Registration Act of 1993 that are in effect at the time of such  
45 erasure. Except as otherwise provided by Section 23-15-573, no  
46 person shall vote at any election whose name is not on the  
47 pollbook.

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

58 (a) In counties having less than fifteen thousand  
59 (15,000) residents according to the latest Federal decennial  
60 census, not more than fifty (50) days per year;

61 (b) In counties having fifteen thousand (15,000)  
62 residents according to the latest Federal decennial census but  
63 less than thirty thousand (30,000) residents according to the

64 latest Federal decennial census, not more than seventy-five (75)  
65 days per year;

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

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

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

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

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

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

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

101           (j) In counties having two hundred seventy-five  
102 thousand (275,000) residents according to the latest Federal  
103 decennial census or more, not more than two hundred forty (240)  
104 days per year.

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

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

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

127           (6) The county commissioners of election may provide copies  
128 of the registration books revised pursuant to this section to the

129 municipal registrar of each municipality located within the  
130 county.

131 (7) Notwithstanding the provisions of this section to the  
132 contrary, the number of days for which the commissioners of  
133 election of a county are entitled to receive compensation shall  
134 not be less than the number of days of compensation they were  
135 entitled to receive during the 2001 calendar year.

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

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