

By: Representative Flaggs

To: Apportionment and
Elections

HOUSE BILL NO. 687

1 AN ACT TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE NUMBER OF DAYS ELECTION COMMISSIONERS CAN WORK IN A
3 YEAR; AND FOR RELATED PURPOSES.

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

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

7 23-15-153. (1) At the following times the commissioners of
8 election shall meet at the office of the registrar and carefully
9 revise the registration books and the pollbooks of the several
10 voting precincts, and shall erase from those books the names of
11 all persons erroneously on the books, or who have died, removed or
12 become disqualified as electors from any cause; and shall register
13 the names of all persons who have duly applied to be registered
14 and have been illegally denied registration:

15 (a) On the Tuesday after the second Monday in January
16 1987 and every following year;

17 (b) On the first Tuesday in the month immediately
18 preceding the first primary election for congressmen in the years
19 when congressmen are elected;

20 (c) On the first Monday in the month immediately
21 preceding the first primary election for state, state district,
22 legislative, county and county district offices in the years in
23 which those offices are elected; and

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



27 Except for the names of those persons who are duly qualified
28 to vote in the election, no name shall be permitted to remain on
29 the registration and pollbooks; provided, however, that no name
30 shall be erased from the registration books or pollbooks based on
31 a change in the residence of an elector except in accordance with
32 procedures provided for by the National Voter Registration Act of
33 1993 that are in effect at the time of such erasure. Except as
34 otherwise provided by Section 23-15-573, no person shall vote at
35 any election whose name is not on the pollbook.

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

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

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

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

53 (d) In counties having fifty thousand (50,000)
54 qualified electors but less than seventy-five thousand (75,000)
55 qualified electors, not more than eighty (80) days per year;

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



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

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

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

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

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

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

89 (4) Subject to the following limitations, the commissioners
90 of election shall be entitled to receive a per diem in the amount
91 of Seventy Dollars (\$70.00), to be paid from the county general



92 fund, for every day or period of no less than five (5) hours
93 accumulated over two (2) or more days actually employed in the
94 performance of their duties in the conduct of an election:

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

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

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

103 (d) In counties having fifty thousand (50,000)
104 qualified electors but less than seventy-five thousand (75,000)
105 qualified electors, not more than forty-five (45) days per
106 election;

107 (e) In counties having seventy-five thousand (75,000)
108 qualified electors but less than one hundred thousand (100,000)
109 qualified electors, not more than fifty-five (55) days per
110 election;

111 (f) In counties having one hundred thousand (100,000)
112 qualified electors but less than one hundred fifty thousand
113 (150,000) qualified electors, not more than sixty-five (65) days
114 per election;

115 (g) In counties having one hundred fifty thousand
116 (150,000) qualified electors but less than two hundred thousand
117 (200,000) qualified electors, not more than seventy-five (75) days
118 per election; and

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

122 It is the intention of the Legislature that the conduct of an
123 election as required by law and as compensated in this subsection
124 is a separate and distinct function from the purging and revision



125 of the registration and pollbooks as required by subsection (1) of
126 this section and the compensation for those revisions provided by
127 subsection (2) of this section.

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

132 (6) The county commissioners of election may provide copies
133 of the registration books revised pursuant to this section to the
134 municipal registrar of each municipality located within the
135 county.

136 (7) Notwithstanding the provisions of this section to the
137 contrary, the number of days for which the commissioners of
138 election of a county are entitled to receive compensation shall be
139 up to thirty-five (35) days per year.

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

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

