

By: Senator(s) Harden

To: Elections

SENATE BILL NO. 2234

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:

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 and pollbooks; provided, however, that no name
35 shall be erased from the registration books or pollbooks based on
36 a change in the residence of an elector except in accordance with
37 procedures provided for by the National Voter Registration Act of
38 1993 that are in effect at the time of such erasure. Except as
39 otherwise provided by Section 23-15-573, no person shall vote at
40 any election whose name is not on the pollbook.

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

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

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

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

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



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

64 (f) In counties having one hundred thousand (100,000)
65 qualified electors but less than one hundred twenty-five thousand
66 (125,000) qualified electors, not more than one hundred ten (110)
67 days per year;

68 (g) In counties having one hundred twenty-five thousand
69 (125,000) qualified electors but less than one hundred fifty
70 thousand (150,000) qualified electors, not more than one hundred
71 twenty-five (125) days per year;

72 (h) In counties having one hundred fifty thousand
73 (150,000) qualified electors but less than one hundred
74 seventy-five thousand (175,000) qualified electors, not more than
75 one hundred forty (140) days per year;

76 (i) In counties having one hundred seventy-five
77 thousand (175,000) qualified electors but less than two hundred
78 thousand (200,000) qualified electors, not more than one hundred
79 fifty-five (155) days per year;

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

83 If the commissioners of election determine that there are
84 days for which they are authorized to receive per diem pursuant to
85 this subsection that are not needed to perform their duties
86 regarding the revision of the registration books and pollbooks,
87 they may utilize such excess days, if necessary, to perform their
88 duties regarding the conduct of elections.

89 (3) The commissioners of election shall be entitled to
90 receive a per diem in the amount of Seventy Dollars (\$70.00), to
91 be paid from the county general fund, not to exceed ten (10) days
92 for every day or period of no less than five (5) hours accumulated
93 over two (2) or more days actually employed in the performance of



94 their duties for the necessary time spent in the revision of the
95 registration books and pollbooks prior to any special election.
96 For purposes of this subsection, the regular special election day
97 shall not be considered a special election. The annual
98 limitations set forth in subsection (2) of this section shall not
99 apply to this subsection.

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

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

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

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

115 (d) In counties having fifty thousand (50,000)
116 qualified electors but less than seventy-five thousand (75,000)
117 qualified electors, not more than forty-five (45) days per
118 election;

119 (e) In counties having seventy-five thousand (75,000)
120 qualified electors but less than one hundred thousand (100,000)
121 qualified electors, not more than fifty-five (55) days per
122 election;

123 (f) In counties having one hundred thousand (100,000)
124 qualified electors but less than one hundred fifty thousand
125 (150,000) qualified electors, not more than sixty-five (65) days
126 per election;



127 (g) In counties having one hundred fifty thousand
128 (150,000) qualified electors but less than two hundred thousand
129 (200,000) qualified electors, not more than seventy-five (75) days
130 per election; and

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

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

140 (5) The commissioners of election shall be entitled to
141 receive a per diem in the amount of Seventy Dollars (\$70.00), to
142 be paid from the county general fund, not to exceed ten (10) days
143 for every day or period of no less that five (5) hours accumulated
144 over two (2) or more days actually employed in the performance of
145 their duties for the necessary time spent in conducting a runoff
146 election. The annual limitations set forth in subsection (4) of
147 this section shall not apply to this subsection.

148 It is the intention of the Legislature that the conduct of an
149 election as required by law and as compensated in this subsection
150 is a separate and distinct function from the purging and revision
151 of the registration and pollbooks as required by subsection (1) of
152 this section and the compensation for those revisions provided by
153 subsection (2) of this section.

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

158 (7) The county commissioners of election may provide
159 copies of the registration books revised pursuant to this section



160 to the municipal registrar of each municipality located within the
161 county.

162 SECTION 2. The Attorney General of the State of Mississippi
163 shall submit this act, immediately upon approval by the Governor,
164 or upon approval by the Legislature subsequent to a veto, to the
165 Attorney General of the United States or to the United States
166 District Court for the District of Columbia in accordance with the
167 provisions of the Voting Rights Act of 1965, as amended and
168 extended.

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

