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

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

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

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

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

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

(c) On the first Monday in the month immediately preceding the first primary election for state, state district, legislative, county and county district offices in the years in which those offices are elected; and
(d) On the second Monday of September preceding the general election or regular special election day in years in which a general election is not conducted.

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

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

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

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

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

(d) In counties having fifty thousand (50,000) qualified electors but less than seventy-five thousand (75,000) qualified electors, not more than eighty (80) days per year;
(e) In counties having seventy-five thousand (75,000) qualified electors but less than one hundred thousand (100,000) qualified electors, not more than ninety-five (95) days per year;

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) In counties having one hundred thousand (100,000) qualified electors but less than one hundred fifty thousand (150,000) qualified electors, not more than sixty-five (65) days per election;
(g) In counties having one hundred fifty thousand qualified electors but less than two hundred thousand qualified electors, not more than seventy-five (75) days per election; and

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

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

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

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

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

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

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

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