

By: Senator(s) Tollison

To: Elections

SENATE BILL NO. 2425

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 COMMISSIONERS OF ELECTION TO RECEIVE A PER DIEM FOR A CERTAIN
 12 AMOUNT OF TIME SPENT CONDUCTING RUNOFF OR SPECIAL ELECTIONS; AND
 13 FOR RELATED 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:

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

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

60 (a) In counties having less than fifteen thousand
61 (15,000) residents according to the latest federal decennial
62 census, not more than fifty (50) days per year;

63 (b) In counties having fifteen thousand (15,000)
64 residents according to the latest federal decennial census but

65 less than thirty thousand (30,000) residents according to the
66 latest federal decennial census, not more than seventy-five (75)
67 days per year;

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

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

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

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

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

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

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

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

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

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

125 * * *

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

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

134 (7) Notwithstanding the provisions of this section to the
135 contrary, the number of days for which the commissioners of
136 election of a county are entitled to receive compensation shall
137 not be less than the number of days of compensation they were
138 entitled to receive during the 2000 calendar year.

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

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