To:  Elections

MISSISSIPPI LEGISLATURE                        REGULAR SESSION 2001
By:  Senator(s) Johnson (19th)

SENATE BILL NO. 2613


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

SECTION 1.  Section 23-15-265, Mississippi Code of 1972, is amended as follows:

23-15-265.  The commissioners of election of each county shall meet not less than two (2) weeks before the date of any primary election and appoint the managers and clerks for same *. * *. The number of managers and clerks appointed by the commissioners of election shall be the same number as commissioners of election are allowed to appoint pursuant to Sections 23-15-231 and 23-15-235.  If the commissioners of election fail to meet on the date named, supra, further notice shall be given of the time and place of meeting.

SECTION 2.  Section 23-15-335, Mississippi Code of 1972, is amended as follows:

23-15-335.  (1)  The commissioners of election shall designate a person whose duty it shall be to distribute all necessary ballots for use in a primary election *. * *. The commissioners of election shall designate one (1) among the managers at each polling place to receive and receipt for the blank ballots to be used at that place. When the blank ballots
are delivered to a local manager, the distributor shall take from
the local manager a receipt therefor signed in duplicate by both
the distributor and the manager, one of which receipts the
distributor shall deliver to the circuit clerk and the other shall
be retained by the local manager and said last mentioned duplicate
receipt shall be enclosed in the ballot box with the voted ballots
when the polls have been closed and the votes have been counted.
The printer of the ballots shall take a receipt from the
distributor of the ballots for the total number of the blank
ballots delivered to the distributor. The printer shall secure
all ballots printed by him in such a safe manner that no person
can procure them or any of them, and he shall deliver no blank
ballot or ballots to any person except the distributor above
mentioned, and then only upon his receipt therefor as above
specified. The distributor of the blank ballots shall so securely
hold the same that no person can obtain any of them, and he shall
not deliver any of them to any person other than to the authorized
local managers and upon their respective receipts therefor. The
executive committee shall see to it that the total blank ballots
delivered to the distributor, shall correspond with the total of
the receipts executed by the local managers. Any person charged
with any of the duties prescribed in this section who shall
willfully or with culpable carelessness violate the same shall be
guilty of a misdemeanor.

amended as follows:

23-15-129. The commissioners of election and the registrars
of the respective counties are hereby directed to make an
administrative division of the pollbook for each county
immediately following any reapportionment of the Mississippi
Legislature or any realignment of supervisors districts, if
necessary. Such an administrative division shall form
subprecincts whenever necessary within each voting precinct so

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that all persons within a subprecinct shall vote on the same candidates for each public office. Separate pollbooks for each subprecinct shall be made. The polling place for all subprecincts within any given voting precinct shall be the same as the polling place for the voting precinct. Additional managers may be appointed for subprecincts in the discretion of the commissioners of election.

SECTION 4. Section 23-15-263, Mississippi Code of 1972, is amended as follows:

23-15-263. (1) Unless otherwise provided in this chapter, the county executive committee at primary elections shall perform all duties that relate to the qualification of candidates for primary elections, print ballots for primary elections, resolve contests in regard to primary elections, and perform all other duties required by law to be performed by the county executive committee; however, each house of the Legislature shall rule on the qualifications of the membership of its respective body in contests involving the qualifications of such members. The executive committee shall be subject to all the penalties to which county election commissioners are subject, except that Section 23-15-217 shall not apply to members of the county executive committee who seek elective office.

(2) A member of a county executive committee shall be automatically disqualified to serve on the county executive committee, and shall be considered to have resigned therefrom, upon his qualification as a candidate for any elective office. The provisions of this subsection shall not apply to a member of a county executive committee who qualifies as a candidate for a municipal elective office.

(3) The primary election officers appointed by the commissioners of election shall have the powers and perform the duties, where not otherwise provided, required of such officers in a general election, and any and every act or omission which by law
is an offense when committed in or about or in respect to such
general elections, shall be an offense if committed in or about or
in respect to a primary election; and the same shall be indictable
and punishable in the same way as if the election was a general
election for the election of state and county officers, except as
specially modified or otherwise provided in this chapter.

SECTION 5. 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 6. 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.