

By: Senator(s) Gollott

To: Elections

SENATE BILL NO. 2503

1 AN ACT TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972,  
2 TO REMOVE THE REQUIREMENT THAT THE CERTIFICATION OF A COMMISSIONER  
3 OF ELECTION OF THE NUMBER OF HOURS ACTUALLY WORKED IN THE  
4 PERFORMANCE OF OFFICIAL DUTIES MUST BE SIGNED UNDER OATH AND UNDER  
5 PENALTIES OF PERJURY; AND FOR RELATED PURPOSES.

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

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

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

17 (a) On the Tuesday after the second Monday in January  
18 1987 and every following year;

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

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

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



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

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

49           (a) In counties having less than fifteen thousand  
50 (15,000) residents according to the latest federal decennial  
51 census, not more than fifty (50) days per year, with no more than  
52 fifteen (15) additional days allowed for the conduct of each  
53 election in excess of one (1) occurring in any calendar year;

54           (b) In counties having fifteen thousand (15,000)  
55 residents according to the latest federal decennial census but  
56 less than thirty thousand (30,000) residents according to the  
57 latest federal decennial census, not more than seventy-five (75)  
58 days per year, with no more than twenty-five (25) additional days  
59 allowed for the conduct of each election in excess of one (1)  
60 occurring in any calendar year;



61 (c) In counties having thirty thousand (30,000)  
62 residents according to the latest federal decennial census but  
63 less than seventy thousand (70,000) residents according to the  
64 latest federal decennial census, not more than one hundred (100)  
65 days per year, with no more than thirty-five (35) additional days  
66 allowed for the conduct of each election in excess of one (1)  
67 occurring in any calendar year;

68 (d) In counties having seventy thousand (70,000)  
69 residents according to the latest federal decennial census but  
70 less than ninety thousand (90,000) residents according to the  
71 latest federal decennial census, not more than one hundred  
72 twenty-five (125) days per year, with no more than forty-five (45)  
73 additional days allowed for the conduct of each election in excess  
74 of one (1) occurring in any calendar year;

75 (e) In counties having ninety thousand (90,000)  
76 residents according to the latest federal decennial census but  
77 less than one hundred seventy thousand (170,000) residents  
78 according to the latest federal decennial census, not more than  
79 one hundred fifty (150) days per year, with no more than  
80 fifty-five (55) additional days allowed for the conduct of each  
81 election in excess of one (1) occurring in any calendar year;

82 (f) In counties having one hundred seventy thousand  
83 (170,000) residents according to the latest federal decennial  
84 census but less than two hundred thousand (200,000) residents  
85 according to the latest federal decennial census, not more than  
86 one hundred seventy-five (175) days per year, with no more than  
87 sixty-five (65) additional days allowed for the conduct of each  
88 election in excess of one (1) occurring in any calendar year;

89 (g) In counties having two hundred thousand (200,000)  
90 residents according to the latest federal decennial census but  
91 less than two hundred twenty-five thousand (225,000) residents  
92 according to the latest federal decennial census, not more than  
93 one hundred ninety (190) days per year, with no more than



94 seventy-five (75) additional days allowed for the conduct of each  
95 election in excess of one (1) occurring in any calendar year;

96 (h) In counties having two hundred twenty-five thousand  
97 (225,000) residents according to the latest federal decennial  
98 census but less than two hundred fifty thousand (250,000)  
99 residents according to the latest federal decennial census, not  
100 more than two hundred fifteen (215) days per year, with no more  
101 than eighty-five (85) additional days allowed for the conduct of  
102 each election in excess of one (1) occurring in any calendar year;

103 (i) In counties having two hundred fifty thousand  
104 (250,000) residents according to the latest federal decennial  
105 census but less than two hundred seventy-five thousand (275,000)  
106 residents according to the latest federal decennial census, not  
107 more than two hundred thirty (230) days per year, with no more  
108 than ninety-five (95) additional days allowed for the conduct of  
109 each election in excess of one (1) occurring in any calendar year;

110 (j) In counties having two hundred seventy-five  
111 thousand (275,000) residents according to the latest federal  
112 decennial census or more, not more than two hundred forty (240)  
113 days per year, with no more than one hundred five (105) additional  
114 days allowed for the conduct of each election in excess of one (1)  
115 occurring in any calendar year.

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



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

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

135           (6) Every commissioner of election shall sign a  
136 certification \* \* \* setting forth the number of hours actually  
137 worked in the performance of the commissioner's official duties  
138 for which the commissioner seeks compensation. The certification  
139 of an election commissioner as to the actual number of hours  
140 worked must be verified and approved as to accuracy by signature  
141 of the chairman of the county election commission. The  
142 certification shall be on a form promulgated by rule of the  
143 Secretary of State and, upon signature of the election  
144 commissioner, must be filed with the clerk of the county board of  
145 supervisors before any payment is made.

146           (7) Notwithstanding the provisions of this section to the  
147 contrary, from June 20, 2001, until the conclusion of calendar  
148 year 2004, the number of days for which the commissioners of  
149 election of a county are entitled to receive compensation shall  
150 not be less than the number of days of compensation they were  
151 entitled to receive during the 2000 calendar year, excluding those  
152 days for which election commissioners were either entitled to or  
153 did receive compensation for the conduct of any special elections  
154 in calendar year 2000.

155           **SECTION 2.** The Attorney General of the State of Mississippi  
156 shall submit this act, immediately upon approval by the Governor,  
157 or upon approval by the Legislature subsequent to a veto, to the  
158 Attorney General of the United States or to the United States  
159 District Court for the District of Columbia in accordance with the



160 provisions of the Voting Rights Act of 1965, as amended and  
161 extended.

