

By: Senator(s) Tollison

To: Elections

SENATE BILL NO. 2590

1 AN ACT TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972,
2 TO REMOVE THE PROVISION THAT REQUIRES COMMISSIONERS OF ELECTION TO
3 CERTIFY THE NUMBER OF HOURS ACTUALLY WORKED IN PERFORMANCE OF
4 THEIR OFFICIAL DUTIES FOR WHICH THEY SEEK COMPENSATION; AND FOR
5 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 * * *

136 (6) Notwithstanding the provisions of this section to the
137 contrary, from June 20, 2001, until the conclusion of calendar
138 year 2004, the number of days for which the commissioners of
139 election of a county are entitled to receive compensation shall
140 not be less than the number of days of compensation they were
141 entitled to receive during the 2000 calendar year, excluding those
142 days for which election commissioners were either entitled to or
143 did receive compensation for the conduct of any special elections
144 in calendar year 2000.

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

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

