

By: Representatives Reynolds, Smith (27th),  
Rotenberry, Moak, Hudson, Vince, Montgomery,  
Turner

To: Apportionment and  
Elections

HOUSE BILL NO. 801

1 AN ACT TO AMEND SECTION 23-15-239, MISSISSIPPI CODE OF 1972,  
2 TO INCREASE THE NUMBER OF TRAINING SESSIONS FOR WHICH POLL  
3 MANAGERS MAY BE COMPENSATED; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 23-15-239, Mississippi Code of 1972, is  
6 amended as follows:

7 23-15-239. (1) The executive committee of each county, in  
8 the case of a primary election, or the commissioners of election  
9 of each county, in the case of all other elections, in conjunction  
10 with the circuit clerk, shall sponsor and conduct, not less than  
11 five (5) days prior to each election, training sessions to  
12 instruct managers as to their duties in the proper administration  
13 of the election and the operation of the polling place. No  
14 manager shall serve in any election unless he has received such  
15 instructions once during the twelve (12) months immediately  
16 preceding the date upon which such election is held; however,  
17 nothing in this section shall prevent the appointment of an  
18 alternate manager to fill a vacancy in case of an emergency. The  
19 county executive committee or the commissioners of election, as  
20 appropriate, shall train a sufficient number of alternates to  
21 serve in the event a manager is unable to serve for any reason.

22 (2) (a) If it is eligible under Section 23-15-266, the  
23 county executive committee may enter into a written agreement with  
24 the circuit clerk or the county election commission authorizing  
25 the circuit clerk or the county election commission to perform any  
26 of the duties required of the county executive committee pursuant  
27 to this section. Any agreement entered into pursuant to this

28 subsection shall be signed by the chairman of the county executive  
29 committee and the circuit clerk or the chairman of the county  
30 election commission, as appropriate. The county executive  
31 committee shall notify the State Executive Committee and the  
32 Secretary of State of the existence of such agreement.

33 (b) If it is eligible under Section 23-15-266, the  
34 municipal executive committee may enter into a written agreement  
35 with the municipal clerk or the municipal election commission  
36 authorizing the municipal clerk or the municipal election  
37 commission to perform any of the duties required of the municipal  
38 executive committee pursuant to this section. Any agreement  
39 entered into pursuant to this subsection shall be signed by the  
40 chairman of the municipal executive committee and the municipal  
41 clerk or the chairman of the municipal election commission, as  
42 appropriate. The municipal executive committee shall notify the  
43 State Executive Committee and the Secretary of State of the  
44 existence of such agreement.

45 (3) The board of supervisors, in their discretion, may  
46 compensate managers who attend such training sessions. The  
47 compensation shall be at a rate of not less than the federal  
48 hourly minimum wage nor more than Ten Dollars (\$10.00) per hour.  
49 Managers shall not be compensated for more than eight (8) hours of  
50 attendance at the training sessions regardless of the actual  
51 amount of time that they attended the training sessions.

52 (4) The time and location of the training sessions required  
53 pursuant to this section shall be announced to the general public  
54 by posting a notice thereof at the courthouse and by delivering a  
55 copy of the notice to the office of a newspaper having general  
56 circulation in the county five (5) days before the date upon which  
57 the training session is to be conducted. Persons who will serve  
58 as poll watchers for candidates and political parties, as well as  
59 members of the general public, shall be allowed to attend the  
60 sessions.

61           (5) Subject to the following annual limitations, the  
62 commissioners of election shall be entitled to receive a per diem  
63 in the amount of Eighty-four Dollars (\$84.00), to be paid from the  
64 county general fund, for every day or period of no less than five  
65 (5) hours accumulated over two (2) or more days actually employed  
66 in the performance of their duties for the necessary time spent in  
67 conducting training sessions as required by this section:

68           (a) In counties having less than fifteen thousand  
69 (15,000) residents according to the latest federal decennial  
70 census, not more than five (5) days per year;

71           (b) In counties having fifteen thousand (15,000)  
72 residents according to the latest federal decennial census but  
73 less than thirty thousand (30,000) residents according to the  
74 latest federal decennial census, not more than eight (8) days per  
75 year;

76           (c) In counties having thirty thousand (30,000)  
77 residents according to the latest federal decennial census but  
78 less than seventy thousand (70,000) residents according to the  
79 latest federal decennial census, not more than ten (10) days per  
80 year;

81           (d) In counties having seventy thousand (70,000)  
82 residents according to the latest federal decennial census but  
83 less than ninety thousand (90,000) residents according to the  
84 latest federal decennial census, not more than twelve (12) days  
85 per year;

86           (e) In counties having ninety thousand (90,000)  
87 residents according to the latest federal decennial census but  
88 less than one hundred seventy thousand (170,000) residents  
89 according to the latest federal decennial census, not more than  
90 fifteen (15) days per year;

91           (f) In counties having one hundred seventy thousand  
92 (170,000) residents according to the latest federal decennial  
93 census but less than two hundred thousand (200,000) residents

94 according to the latest federal decennial census, not more than  
95 eighteen (18) days per year;

96 (g) In counties having two hundred thousand (200,000)  
97 residents according to the latest federal decennial census but  
98 less than two hundred twenty-five thousand (225,000) residents  
99 according to the latest federal decennial census, not more than  
100 nineteen (19) days per year;

101 (h) In counties having two hundred twenty-five thousand  
102 (225,000) residents according to the latest federal decennial  
103 census but less than two hundred fifty thousand (250,000)  
104 residents according to the latest federal decennial census, not  
105 more than twenty-two (22) days per year;

106 (i) In counties having two hundred fifty thousand  
107 (250,000) residents according to the latest federal decennial  
108 census but less than two hundred seventy-five thousand (275,000)  
109 residents according to the latest federal decennial census, not  
110 more than thirteen (13) days per year;

111 (j) In counties having two hundred seventy-five  
112 thousand (275,000) residents according to the latest federal  
113 decennial census or more, not more than fourteen (14) days per  
114 year.

115 (6) Commissioners of election shall claim the per diem  
116 authorized in subsection (5) of this section in the manner  
117 provided for in Section 23-15-153(6).

118 **SECTION 2.** This act shall take effect and be in force from  
119 and after July 1, 2007.