

By: Senator(s) Chaney, Hyde-Smith, Jackson
(15th), White, King, Fillingane

To: Fees, Salaries and
Administration; County
Affairs

SENATE BILL NO. 2886

1 AN ACT TO AMEND SECTION 23-15-227, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE COMPENSATION OF ELECTION PRECINCT MANAGERS AND
3 CLERKS; TO AMEND SECTION 23-15-239, MISSISSIPPI CODE OF 1972, TO
4 INCREASE THE NUMBER OF HOURS THAT ELECTION MANAGERS AND CLERKS MAY
5 BE COMPENSATED FOR ATTENDING TRAINING SESSIONS; AND FOR RELATED
6 PURPOSES.

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

8 **SECTION 1.** Section 23-15-227, Mississippi Code of 1972, is
9 amended as follows:

10 23-15-227. The managers * * * shall be each entitled to One
11 Hundred Seventy-five Dollars (\$175.00) for each election and
12 clerks shall be each entitled to One Hundred Fifty Dollars
13 (\$150.00) for each election; * * * however, * * * the board of
14 supervisors may, in its discretion, pay the managers and clerks an
15 additional amount not to exceed Twenty-five Dollars (\$25.00) per
16 election. The manager or other person who shall carry to the
17 place of voting, away from the courthouse, the official ballots,
18 ballot boxes, pollbooks and other necessities, shall be allowed
19 Ten Dollars (\$10.00) for each voting precinct for so doing. The
20 manager or other person who acts as returning officer shall be
21 allowed Ten Dollars (\$10.00) for each voting precinct for that
22 service. The compensation authorized in this section shall be
23 allowed by the board of supervisors, and shall be payable out of
24 the county treasury.

25 The compensation provided in this section shall constitute
26 payment in full for the services rendered by the persons named for
27 any election, whether there be one (1) election or issue voted
28 upon, or more than one (1) election or issue voted upon at the
29 same time.

30 **SECTION 2.** Section 23-15-239, Mississippi Code of 1972, is
31 amended as follows:

32 23-15-239. (1) The executive committee of each county, in
33 the case of a primary election, or the commissioners of election
34 of each county, in the case of all other elections, in conjunction
35 with the circuit clerk, shall sponsor and conduct, not less than
36 five (5) days prior to each election, training sessions to
37 instruct managers as to their duties in the proper administration
38 of the election and the operation of the polling place. No
39 manager shall serve in any election unless he has received such
40 instructions once during the twelve (12) months immediately
41 preceding the date upon which such election is held; however,
42 nothing in this section shall prevent the appointment of an
43 alternate manager to fill a vacancy in case of an emergency. The
44 county executive committee or the commissioners of election, as
45 appropriate, shall train a sufficient number of alternates to
46 serve in the event a manager is unable to serve for any reason.

47 (2) (a) If it is eligible under Section 23-15-266, the
48 county executive committee may enter into a written agreement with
49 the circuit clerk or the county election commission authorizing
50 the circuit clerk or the county election commission to perform any
51 of the duties required of the county executive committee pursuant
52 to this section. Any agreement entered into pursuant to this
53 subsection shall be signed by the chairman of the county executive
54 committee and the circuit clerk or the chairman of the county
55 election commission, as appropriate. The county executive
56 committee shall notify the State Executive Committee and the
57 Secretary of State of the existence of such agreement.

58 (b) If it is eligible under Section 23-15-266, the
59 municipal executive committee may enter into a written agreement
60 with the municipal clerk or the municipal election commission
61 authorizing the municipal clerk or the municipal election
62 commission to perform any of the duties required of the municipal

63 executive committee pursuant to this section. Any agreement
64 entered into pursuant to this subsection shall be signed by the
65 chairman of the municipal executive committee and the municipal
66 clerk or the chairman of the municipal election commission, as
67 appropriate. The municipal executive committee shall notify the
68 State Executive Committee and the Secretary of State of the
69 existence of such agreement.

70 (3) The board of supervisors, in their discretion, may
71 compensate managers and clerks who attend such training sessions.
72 The compensation shall be at a rate of not less than the federal
73 hourly minimum wage nor more than Ten Dollars (\$10.00) per hour.
74 Managers and clerks shall not be compensated for more than six (6)
75 hours of attendance at the training sessions regardless of the
76 actual amount of time that they attended the training sessions.

77 (4) The time and location of the training sessions required
78 pursuant to this section shall be announced to the general public
79 by posting a notice thereof at the courthouse and by delivering a
80 copy of the notice to the office of a newspaper having general
81 circulation in the county five (5) days before the date upon which
82 the training session is to be conducted. Persons who will serve
83 as poll watchers for candidates and political parties, as well as
84 members of the general public, shall be allowed to attend the
85 sessions.

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

93 (a) In counties having less than fifteen thousand
94 (15,000) residents according to the latest federal decennial
95 census, not more than five (5) days per year;

96 (b) In counties having fifteen thousand (15,000)
97 residents according to the latest federal decennial census but
98 less than thirty thousand (30,000) residents according to the
99 latest federal decennial census, not more than eight (8) days per
100 year;

101 (c) In counties having thirty thousand (30,000)
102 residents according to the latest federal decennial census but
103 less than seventy thousand (70,000) residents according to the
104 latest federal decennial census, not more than ten (10) days per
105 year;

106 (d) In counties having seventy thousand (70,000)
107 residents according to the latest federal decennial census but
108 less than ninety thousand (90,000) residents according to the
109 latest federal decennial census, not more than twelve (12) days
110 per year;

111 (e) In counties having ninety thousand (90,000)
112 residents according to the latest federal decennial census but
113 less than one hundred seventy thousand (170,000) residents
114 according to the latest federal decennial census, not more than
115 fifteen (15) days per year;

116 (f) In counties having one hundred seventy thousand
117 (170,000) residents according to the latest federal decennial
118 census but less than two hundred thousand (200,000) residents
119 according to the latest federal decennial census, not more than
120 eighteen (18) days per year;

121 (g) In counties having two hundred thousand (200,000)
122 residents according to the latest federal decennial census but
123 less than two hundred twenty-five thousand (225,000) residents
124 according to the latest federal decennial census, not more than
125 nineteen (19) days per year;

126 (h) In counties having two hundred twenty-five thousand
127 (225,000) residents according to the latest federal decennial
128 census but less than two hundred fifty thousand (250,000)

129 residents according to the latest federal decennial census, not
130 more than twenty-two (22) days per year;

131 (i) In counties having two hundred fifty thousand
132 (250,000) residents according to the latest federal decennial
133 census but less than two hundred seventy-five thousand (275,000)
134 residents according to the latest federal decennial census, not
135 more than thirteen (13) days per year;

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

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

143 **SECTION 3.** The Attorney General of the State of Mississippi
144 shall submit this act, immediately upon approval by the Governor,
145 or upon approval by the Legislature subsequent to a veto, to the
146 Attorney General of the United States or to the United States
147 District Court for the District of Columbia in accordance with the
148 provisions of the Voting Rights Act of 1965, as amended and
149 extended.

150 **SECTION 4.** This act shall take effect and be in force from
151 and after the date it is effectuated under Section 5 of the Voting
152 Rights Act of 1965, as amended and extended.