

By: Senator(s) Doty

To: Elections

SENATE BILL NO. 2425

1 AN ACT TO AMEND SECTION 23-15-239, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE COUNTY EXECUTIVE COMMITTEE AND THE COMMISSIONERS OF  
3 ELECTION TO OFFER AN ANNUAL TRAINING COURSE OF UP TO EIGHT HOURS  
4 TO MANAGERS OF ELECTION; AND FOR RELATED PURPOSES.

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

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

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



20 The county executive committee or the commissioners of election,  
21 as appropriate, shall train a sufficient number of alternates to  
22 serve in the event a manager is unable to serve for any reason.

23 (b) The executive committee of each county, in the case  
24 of a primary election, or the commissioners of election of each  
25 county, in the case of all other elections, in conjunction with  
26 the circuit clerk, shall sponsor and conduct annually \* \* \* a  
27 training course of no more than eight (8) hours for managers that  
28 meets criteria that the Secretary of State shall prescribe.  
29 Managers shall be required to attend this course every four (4)  
30 years from August 7, 2008. The Secretary of State shall develop a  
31 version of the course that may be taken by managers over the  
32 Internet. Training courses, including, but not limited to, online  
33 training courses, that meet criteria prescribed by the Secretary  
34 of State and are not sponsored or conducted by the executive  
35 committee or the commissioners of election, may be utilized to  
36 meet the requirements of this paragraph if the training course is  
37 approved by the Secretary of State.

38 (2) (a) If it is eligible under Section 23-15-266, the  
39 county executive committee may enter into a written agreement with  
40 the circuit clerk or the county election commission authorizing  
41 the circuit clerk or the county election commission to perform any  
42 of the duties required of the county executive committee pursuant  
43 to this section. Any agreement entered into pursuant to this  
44 subsection shall be signed by the chairman of the county executive



45 committee and the circuit clerk or the chairman of the county  
46 election commission, as appropriate. The county executive  
47 committee shall notify the state executive committee and the  
48 Secretary of State of the existence of such agreement.

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

61 (3) The board of supervisors, in their discretion, may  
62 compensate managers who attend such training sessions. The  
63 compensation shall be at a rate of not less than the federal  
64 hourly minimum wage nor more than Twelve Dollars (\$12.00) per  
65 hour. Managers shall not be compensated for more than sixteen  
66 (16) hours of attendance at the training sessions regardless of  
67 the actual amount of time that they attended the training  
68 sessions.



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

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

85                   (a) In counties having less than fifteen thousand  
86 (15,000) residents according to the latest federal decennial  
87 census, not more than five (5) days per year;

88                   (b) In counties having fifteen thousand (15,000)  
89 residents according to the latest federal decennial census but  
90 less than thirty thousand (30,000) residents according to the  
91 latest federal decennial census, not more than eight (8) days per  
92 year;



93 (c) In counties having thirty thousand (30,000)  
94 residents according to the latest federal decennial census but  
95 less than seventy thousand (70,000) residents according to the  
96 latest federal decennial census, not more than ten (10) days per  
97 year;

98 (d) In counties having seventy thousand (70,000)  
99 residents according to the latest federal decennial census but  
100 less than ninety thousand (90,000) residents according to the  
101 latest federal decennial census, not more than twelve (12) days  
102 per year;

103 (e) In counties having ninety thousand (90,000)  
104 residents according to the latest federal decennial census but  
105 less than one hundred seventy thousand (170,000) residents  
106 according to the latest federal decennial census, not more than  
107 fifteen (15) days per year;

108 (f) In counties having one hundred seventy thousand  
109 (170,000) residents according to the latest federal decennial  
110 census but less than two hundred thousand (200,000) residents  
111 according to the latest federal decennial census, not more than  
112 eighteen (18) days per year;

113 (g) In counties having two hundred thousand (200,000)  
114 residents according to the latest federal decennial census but  
115 less than two hundred twenty-five thousand (225,000) residents  
116 according to the latest federal decennial census, not more than  
117 nineteen (19) days per year;



118           (h) In counties having two hundred twenty-five thousand  
119 (225,000) residents according to the latest federal decennial  
120 census but less than two hundred fifty thousand (250,000)  
121 residents according to the latest federal decennial census, not  
122 more than twenty-two (22) days per year;

123           (i) In counties having two hundred fifty thousand  
124 (250,000) residents according to the latest federal decennial  
125 census but less than two hundred seventy-five thousand (275,000)  
126 residents according to the latest federal decennial census, not  
127 more than thirteen (13) days per year;

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

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

135           **SECTION 2.** This act shall take effect and be in force from  
136 and after July 1, 2016.

