

By: Representatives Denny, Steverson, Dixon,  
Sykes

To: Apportionment and  
Elections

HOUSE BILL NO. 937

1 AN ACT TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE STAGGERED TERMS FOR ELECTION COMMISSIONERS; AND FOR  
3 RELATED PURPOSES.

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

5 **SECTION 1.** Section 23-15-213, Mississippi Code of 1972, is  
6 amended as follows:

7 **[Until January 1, \* \* \* 2024, this section shall read as**  
8 **follows:]**

9 23-15-213. (1) At the general election in 2020 \* \* \*, there  
10 shall be elected five (5) election commissioners for each county  
11 whose terms of office shall commence on the first Monday of  
12 January following their election \* \* \*. Each of the commissioners  
13 shall be required to attend a training seminar provided by the  
14 Secretary of State and satisfactorily complete a skills  
15 assessment, and before acting, shall take and subscribe the oath  
16 of office prescribed by the Constitution. The oath shall be filed  
17 in the office of the clerk of the chancery court. Upon filing the  
18 oath of office, the election commissioner may be provided access



19 to the Statewide Elections Management System for the purpose of  
20 performing his or her duties. While engaged in their duties, the  
21 commissioners shall be conservators of the peace in the county,  
22 with all the duties and powers of such.

23 (2) The qualified electors of each supervisors district  
24 shall elect, at the general election in 2020, in their district  
25 one (1) election commissioner. The election commissioners from  
26 board of supervisors' Districts One, Three and Five shall serve  
27 for a term of four (4) years. The election commissioners from  
28 board of supervisors' Districts Two and Four shall serve for a  
29 term of six (6) years. No more than one (1) commissioner shall be  
30 a resident of and reside in each supervisors district of the  
31 county; it being the purpose of this section that the county board  
32 of election commissioners shall consist of one (1) person from  
33 each supervisors district of the county and that each commissioner  
34 be elected from the supervisors district in which he or she  
35 resides.

36 (3) Candidates for county election commissioner shall  
37 qualify by filing with the clerk of the board of supervisors of  
38 their respective counties a petition personally signed by not less  
39 than fifty (50) qualified electors of the supervisors district in  
40 which they reside, requesting that they be a candidate, by 5:00  
41 p.m. not later than the first Monday in June of the year in which  
42 the election occurs and unless the petition is filed within the  
43 required time, their names shall not be placed upon the ballot.



44 All candidates shall declare in writing their party affiliation,  
45 if any, to the board of supervisors, and such party affiliation  
46 shall be shown on the official ballot.

47 (4) The petition shall have attached thereto a certificate  
48 of the county registrar showing the number of qualified electors  
49 on each petition, which shall be furnished by the registrar on  
50 request. The board shall determine the sufficiency of the  
51 petition, and if the petition contains the required number of  
52 signatures and is filed within the time required, the president of  
53 the board shall verify that the candidate is a resident of the  
54 supervisors district in which he or she seeks election and that  
55 the candidate is otherwise qualified as provided by law, and shall  
56 certify that the candidate is qualified to the chair or secretary  
57 of the county election commission and the names of the candidates  
58 shall be placed upon the ballot for the ensuing election. No  
59 county election commissioner shall serve or be considered as  
60 elected until he or she has received a majority of the votes cast  
61 for the position or post for which he or she is a candidate. If a  
62 majority vote is not received in the first election, then the two  
63 (2) candidates receiving the most votes for each position or post  
64 shall be placed upon the ballot for a second election to be held  
65 three (3) weeks later in accordance with appropriate procedures  
66 followed in other elections involving runoff candidates.

67 (5) Upon taking office, the county election commissioners  
68 shall organize by electing a chair and a secretary.



69 (6) It shall be the duty of the chair to have the official  
70 ballot printed and distributed at each general or special  
71 election.

72 **[From and after January 1, \* \* \* 2024, this section shall**  
73 **read as follows:]**

74 23-15-213. (1) There shall be elected five (5) election  
75 commissioners for each county whose terms of office shall commence  
76 on the first Monday of January following their election and who  
77 shall serve for a term of four (4) years. Each of the  
78 commissioners shall be required to attend a training seminar  
79 provided by the Secretary of State and satisfactorily complete a  
80 skills assessment, and before acting, shall take and subscribe the  
81 oath of office prescribed by the Constitution. The oath shall be  
82 filed in the office of the clerk of the chancery court. Upon  
83 filing the oath of office, the election commissioner may be  
84 provided access to the Statewide Elections Management System for  
85 the purpose of performing his or her duties. While engaged in  
86 their duties, the commissioners shall be conservators of the peace  
87 in the county, with all the duties and powers of such.

88 (2) (a) At the general election in \* \* \* 2024 and every  
89 four (4) years thereafter, the qualified electors of the board of  
90 supervisors' Districts One, Three and Five shall elect in their  
91 district one (1) election commissioner.

92 (b) At the general election in \* \* \* 2026 and every  
93 four (4) years thereafter, the qualified electors of the board of



94 supervisors' Districts Two and Four shall elect in their district  
95 one (1) election commissioner.

96 (c) No more than one (1) commissioner shall be a  
97 resident of and reside in each supervisors district of the county;  
98 it being the purpose of this section that the county board of  
99 election commissioners shall consist of one (1) person from each  
100 supervisors district of the county and that each commissioner be  
101 elected from the supervisors district in which he or she resides.

102 (3) Candidates for county election commissioner shall  
103 qualify by filing with the clerk of the board of supervisors of  
104 their respective counties a petition personally signed by not less  
105 than fifty (50) qualified electors of the supervisors district in  
106 which they reside, requesting that they be a candidate, by 5:00  
107 p.m. not later than the first Monday in June of the year in which  
108 the election occurs and unless the petition is filed within the  
109 required time, their names shall not be placed upon the ballot.  
110 All candidates shall declare in writing their party affiliation,  
111 if any, to the board of supervisors, and such party affiliation  
112 shall be shown on the official ballot.

113 (4) The petition shall have attached thereto a certificate  
114 of the county registrar showing the number of qualified electors  
115 on each petition, which shall be furnished by the registrar on  
116 request. The board shall determine the sufficiency of the  
117 petition, and if the petition contains the required number of  
118 signatures and is filed within the time required, the president of



119 the board shall verify that the candidate is a resident of the  
120 supervisors district in which he or she seeks election and that  
121 the candidate is otherwise qualified as provided by law, and shall  
122 certify that the candidate is qualified to the chair or secretary  
123 of the county election commission and the names of the candidates  
124 shall be placed upon the ballot for the ensuing election. No  
125 county election commissioner shall serve or be considered as  
126 elected until he or she has received a majority of the votes cast  
127 for the position or post for which he or she is a candidate. If a  
128 majority vote is not received in the first election, then the two  
129 (2) candidates receiving the most votes for each position or post  
130 shall be placed upon the ballot for a second election to be held  
131 three (3) weeks later in accordance with appropriate procedures  
132 followed in other elections involving runoff candidates.

133 (5) In the first meeting in January of each year, the county  
134 election commissioners shall organize by electing a chair and a  
135 secretary, who shall serve a one (1) year term. The county  
136 election commissioners shall provide the names of the chair and  
137 secretary to the Secretary of State and provide notice of any  
138 change in officers which may occur during the year.

139 (6) It shall be the duty of the chair to have the official  
140 ballot printed and distributed at each general or special  
141 election.

142 **SECTION 2.** This act shall take effect and be in force from  
143 and after its passage.

