MISSISSIPPI LEGISLATURE

By: Representative Denton

REGULAR SESSION 2021

To: Apportionment and Elections; Accountability, Efficiency, Transparency

HOUSE BILL NO. 723


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

SECTION 1. (1) For purposes of this act, the following words shall have the meaning ascribed herein unless the context otherwise requires:

(a) "Preferential election" means a primary election held for the purpose of determining those candidates whose names will be placed on the general or regular election ballot. Any person who meets the qualifications to hold the office he or she seeks may be a candidate in the preferential election without regard to party affiliation or lack of party affiliation.

(b) "General election" or "regular election" means an election held for the purpose of determining which candidate shall be elected to office.
(c) "Political party" means a party defined as a political party by the provisions of Sections 23-15-1059 and 23-15-1061.

(2) All qualified electors of the State of Mississippi may participate, without regard to party affiliation or lack of party affiliation, in any appropriate preferential, general or regular election.

**SECTION 2.** The general election in 2022 and every general election thereafter shall be held on the first Tuesday after the first Monday of November of the year. When more than one (1) person has qualified or been certified as a candidate for any office, a preferential election for such office shall be held three (3) weeks before the general election.

**SECTION 3.** A person who has qualified in the manner provided by law as a candidate for election under Sections 1 through 11 of this act shall have the right to withdraw his or her name as a candidate by giving notice of the withdrawal in writing to the secretary of the appropriate election commission at any time before the printing of the official ballots, and in the event of his or her withdrawal, the name of the candidate shall not be printed on the ballot.

**SECTION 4.** When only one (1) person has qualified or been certified as a candidate for any office, the person's name shall be placed only on the general or regular election ballot and shall not be placed on the ballot for a preferential election.
SECTION 5. When more than one (1) person has qualified or
been certified as a candidate for any office, a preferential
election for the office shall be held three (3) weeks before the
general or regular election, and any candidate who receives a
majority of the votes cast in such preferential election shall
have only his or her name placed on the ballot in the general or
regular election. Except as provided in Section 6 of this act, if
no person shall receive a majority of the votes cast at the
preferential election, then the two (2) persons receiving the
highest number of votes in the preferential election shall have
their names placed on the ballot in the general or regular
election as candidates for such office.

SECTION 6.  (1) When there is a tie in the preferential
election between the candidates receiving the highest number of
votes, then only those candidates shall be placed on the ballot as
candidates in the general election.

(2) When there is a tie in the preferential election between
the candidates receiving the next highest number of votes, and
there is not a tie for the highest number of votes, candidates
receiving the next highest number of votes, and the one (1)
candidate receiving the highest number of votes, no one having
received a majority, shall have their names placed on the ballot
as candidates in the general or regular election.

(3) If (a) there are more than two (2) candidates in the
preferential election, and (b) no candidate in the election
receives a majority of the votes cast at the preferential election, and (c) there is not a tie in the preferential election that would require the procedure prescribed in subsection (2) of this section to be followed, and (d) one (1) of the two (2) candidates who receives the highest number of votes in the preferential election withdraws or is otherwise unable to participate in the general or regular election, then the remaining candidate of the two (2) candidates and the candidate who receives the third highest number of votes in the election shall be placed on the ballot as candidates in the general or regular election.

SECTION 7. All candidates receiving the highest number of votes for any office in the general or regular election shall be declared elected to the office, subject to the requirements of Sections 140, 141 and 143, Mississippi Constitution of 1890.

SECTION 8. All candidates upon entering the race for election to any office, except municipal officers, no later than 5:00 p.m. sixty (60) days before the general election, shall file their intent to be a candidate and pay to the secretary of the proper executive committee of the political party with which the candidate is affiliated or the appropriate election commission if not affiliated with a political party for each election the following amounts:

(a) Candidates for Governor, One Thousand Dollars ($1,000.00);
(b) Candidates for Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, Auditor of Public Accounts, Commissioner of Insurance, Commissioner of Agriculture and Commerce, State Highway Commissioner and State Public Service Commissioner, Five Hundred Dollars ($500.00);

(c) Candidates for district attorney, State Senator and State Representative, Two Hundred Fifty Dollars ($250.00);

(d) Candidates for sheriff, chancery clerk, circuit clerk, tax assessor, tax collector, county attorney, county superintendent of education and board of supervisors, One Hundred Dollars ($100.00);

(e) Candidates for county surveyor, county coroner, justice court judge and constable, One Hundred Dollars ($100.00);

(f) Candidates for United States Senator, One Thousand Dollars ($1,000.00); and

(g) Candidates for United States Representative, Five Hundred Dollars ($500.00).

SECTION 9.  (1) Candidates for offices set out in Section 8 of this act under paragraphs (a), (b), (c), (f) and (g) shall file their intent to be a candidate with the secretary of the state executive committee of the political party with which the candidate is affiliated or with the secretary of the state election commission if not affiliated with a political party.

(2) Candidates for offices set out in Section 8 of this act under paragraphs (d) and (e) shall file their intent to be a
candidate with the secretary of the county executive committee of
the political party with which the candidate is affiliated, or
with the county election commission if not affiliated with a
political party.

Not later than fifty-five (55) days before the general
election, the respective executive committee shall certify to the
appropriate election commission all candidates who have filed
their intent to be a candidate.

(3) (a) The fees required to be paid pursuant to Section 8
of this act shall be accompanied by a written statement containing
the name and address of the candidate, the party with which he or
she is affiliated, if any, and the office for which he or she is a
candidate.

(b) The appropriate executive committee or election
commission, as the case may be, shall transmit to the Secretary of
State a copy of the written statements accompanying the fees paid
pursuant to subsections (1) and (2) of this section. All copies
must be received by the Office of the Secretary of State no later
than 6:00 p.m. on the date of the qualifying deadline; provided,
however, the failure of the Office of the Secretary of State to
receive such copies by 6:00 p.m. on the date of the qualifying
deadline shall not affect the qualification of a person who pays
the required fee and files the required statement by 5:00 p.m. not
later than sixty (60) days before the general election. The name
of any person who pays the required fee and files the required
statement after 5:00 p.m. on the date of the qualifying deadline shall not be placed on the preferential election ballot.

(4) The secretary to whom such payments are made pursuant to Section 8 of this act shall promptly receipt for same stating the office for which such candidate making payment is running and the political party with which he or she is affiliated, if any, and the secretary shall keep an itemized account in detail showing the exact time and date of the receipt of each payment received by him or her and, where applicable, the date of the postmark on the envelope containing the fee and from whom, and for what office the party paying same is a candidate.

(5) The secretaries of the proper executive committee shall hold the funds to be finally disposed of by order of their respective executive committees. The funds may be used or disbursed by the executive committee receiving same to pay all necessary traveling or other necessary expenses of the members of the executive committee incurred in discharging their duties as committee members, and of their secretary and may pay the secretary such salary as may be reasonable.

(6) (a) Upon receipt of the proper fee and all necessary information, the proper executive committee or election commission shall then determine whether each candidate is a qualified elector of the state, state district, county or county district which they seek to serve, and whether each candidate meets all other qualifications to hold the office he or she is seeking or presents
absolute proof that he or she will, subject to no contingencies, meet all qualifications on or before the date of the general or special election at which he or she could be elected to office.

The executive committee or election commission shall determine whether the candidate has taken the steps necessary to qualify for more than one (1) office at the election. The committee also shall determine whether any candidate has been convicted (i) of any felony in a court of this state, (ii) of any offense in another state which is a felony under the laws of this state, (iii) of any felony in a federal court or (iv) of any offense that involved the misuse or abuse of his or her office or money coming into his or her hands by virtue of the office. Excepted from the above are convictions of manslaughter and violations of the United States Internal Revenue Code or any violations of the tax laws of this state.

(b) If the proper executive committee or election commission finds that a candidate either (i) is not a qualified elector, (ii) does not meet all qualifications to hold the office he or she seeks and fails to provide absolute proof, subject to no contingencies, that he or she will meet the qualifications on or before the date of the general or special election at which he or she could be elected, or (iii) has been convicted of a felony or other disqualifying crime as described in this subsection, and not pardoned, then the executive committee or election commission shall notify the candidate and give the candidate an opportunity
to be heard. The executive committee or election commission shall mail notice to the candidate at least three (3) business days before the hearing to the address provided by the candidate on the qualifying forms, and the committee or commission shall attempt to contact the candidate by telephone, email and facsimile if the candidate provided this information on the forms. If the candidate fails to appear at the hearing or to prove that he or she meets all qualifications to hold the office subject to no contingencies, then the name of that candidate shall not be placed upon the ballot.

(c) If the proper executive committee or election commission determines that the candidate has taken the steps necessary to qualify for more than one (1) office at the election, the action required by Section 23-15-905, shall be taken.

(d) Where there is but one (1) candidate for each office contested at the preferential election, the proper executive committee or election commission when the time has expired within which the names of candidates shall be furnished shall declare such candidates the nominees.

(7) No candidate may qualify by filing the information required by this section by using the Internet.

SECTION 10. (1) Necessary ballots for use in elections shall be printed as provided for in Section 23-15-351. The ballots shall contain the names of all candidates who have filed their intention to be a candidate in the manner and within the
time prescribed herein. The names shall be listed alphabetically on the ballot without regard to party affiliation, if any, with indication of the political party, if any, with which the candidate qualified and placed in parentheses following the name of the candidate.

(2) The county election commissioners may also have printed upon the ballot any local issue election matter that is authorized to be held on the same date as the general election pursuant to Section 23-15-375; provided, however, that the ballot form of the local issue must be filed with the election commissioners by the appropriate governing authority not less than sixty (60) days before the election.

SECTION 11. (1) All candidates upon entering the race for election to any municipal office shall, not later than 5:00 p.m. sixty (60) days before any municipal general or regular election, file their intent to be a candidate and pay to the secretary of the municipal executive committee of their political party or to the municipal election commission for each election the amount of Ten Dollars ($10.00).

(2) Candidates for municipal office shall file their intent to be a candidate with the secretary of the municipal executive committee of the political party with which the candidate is affiliated, or with the secretary of the municipal election commission if not affiliated with a political party.
(3) The election shall be held on the date provided for in Section 23-15-173; and if a preferential election is necessary, the preferential election shall be held three (3) weeks before the general or regular municipal election. At the election, or elections, the municipal election commissioners shall perform the same duties as are specified by law and performed by the county election commissioners with regard to state and county general and preferential elections. Except as otherwise provided by law, all municipal elections shall be held and conducted as is provided by law for state and county elections.

(4) Provided, however, that in municipalities operating under a special or private charter which fixes a time for holding elections other than the time fixed herein, the preferential election shall be three (3) weeks before the general election as fixed by the charter.

(5) Not later than fifty-five (55) days before the general election, the respective municipal executive committees shall certify to the municipal election commission all candidates who have filed, within the time prescribed in this section, with such executive committees their intent to be a candidate.

SECTION 12. Sections 1 through 11 of this act shall apply to all elections to public office, except elections for judicial office as defined in Section 23-15-975 and special elections.

SECTION 13. Nothing in Sections 1 through 11 of this act shall prohibit special elections to fill vacancies in either house
of the Legislature from being held as provided in Section 23-15-851. In all elections conducted under the provisions of Section 23-15-851 the commissioners shall have printed on the ballot the name of any candidate who shall have been requested to be a candidate for the office by a petition filed with the commissioners not less than ten (10) working days before the election and signed by not less than fifty (50) qualified electors.

SECTION 14. The state executive committee of a political party is hereby authorized to make and promulgate reasonable rules and regulations for the affairs of the political party and may authorize the county executive committee of the party to have a new registration of the members of that party.

SECTION 15. It shall be the duty of the state executive committee of each political party to furnish to the election commissioners of each county the names of all state and state district candidates who have qualified as provided in Sections 8 and 9 of this act.

SECTION 16. The chairs of the state and county election commissioners, respectively, shall transmit to the Secretary of State a tabulated statement of the vote cast in each county in each state and district election, which statement shall be filed by the Secretary of State and preserved among the records of his or her office.
SECTION 17. Candidates for the offices of Public Service Commissioner, State Highway Commissioner, any other officers elected from each Supreme Court district, representatives in Congress, district attorneys and any other offices elected by districts, shall be voted for by all the counties within their respective districts, and all district candidates, shall be under the supervision and control of the state election commissioners. The commissioners shall discharge, for such state district elections, all the powers and duties imposed upon them in connection with elections of candidates for other state offices.

SECTION 18. The Secretary of State shall promulgate rules and regulations necessary to effectuate the provisions of Sections 1 through 17 of this act.

SECTION 19. Section 21-7-7, Mississippi Code of 1972, is amended as follows:

21-7-7. The governing body of any such municipality shall be a council, known and designated as such, consisting of seven (7) members. One (1) of the members shall be the mayor, having the qualifications as prescribed by Section 21-3-9, who shall have full rights, powers and privileges of other councilmen. The mayor shall be nominated and elected at large; the remaining councilmen shall be nominated and elected one (1) from each ward into which the city shall be divided. However, if the city be divided into less than six (6) wards, the remaining councilmen shall be nominated and elected at large. The councilmen, including the
mayor, shall be elected for a term of four (4) years to serve until their successors are elected and qualified in accordance with the provisions of Section 21-11-71 of this act, said the term commencing on the first Monday of January after the municipal election first following the adoption of the form of government as provided by this chapter.

The compensation for the members of the council shall, for the first four (4) years of operation, under this chapter, be fixed by the board of mayor and board of aldermen holding office prior to the change in form of government. Thereafter the amount of compensation for each such member may be increased or decreased by the council, by council action taken prior to the election of members thereof for the ensuing term, such action to become effective with the ensuing terms.

SECTION 20. Section 21-8-7, Mississippi Code of 1972, is amended as follows:

21-8-7. (1) Each municipality operating under the mayor-council form of government shall be governed by an elected council and an elected mayor. Other officers and employees shall be duly appointed pursuant to this chapter, general law or ordinance.

(2) Except as otherwise provided in subsection (4) of this section, the mayor and council members shall be elected by the voters of the municipality at a regular municipal election held on
the first Tuesday after the first Monday in June as provided in Section 21-11-7 of this act, and shall serve for a term of four (4) years beginning on the first day of July next following the election that is not on a weekend.

(3) The terms of the initial mayor and council members shall commence at the expiration of the terms of office of the elected officials of the municipality serving at the time of adoption of the mayor-council form of government.

(4) (a) The council shall consist of five (5), seven (7) or nine (9) members. In the event there are five (5) council members, the municipality shall be divided into either five (5) or four (4) wards. In the event there are seven (7) council members, the municipality shall be divided into either seven (7), six (6) or five (5) wards. In the event there are nine (9) council members, the municipality shall be divided into seven (7) or nine (9) wards. If the municipality is divided into fewer wards than it has council members, the other council member or members shall be elected from the municipality at large. The total number of council members and the number of council members elected from wards shall be established by the petition or petitions presented pursuant to Section 21-8-3. One (1) council member shall be elected from each ward by the voters of that ward. Council members elected to represent wards must be residents of their wards at the time of qualification for election, and any council member who removes the member's residence from the municipality or
from the ward from which elected shall vacate that office. However, any candidate for council member who is properly qualified as a candidate under applicable law shall be deemed to be qualified as a candidate in whatever ward the member resides if the ward has changed after the council has redistricted the municipality as provided in paragraph (c)(ii) of this subsection (4), and if the wards have been so changed, any person may qualify as a candidate for council member, using the person's existing residence or by changing the person's residence, not less than fifteen (15) days before the first party primary or special party primary, as the case may be, preferential election, notwithstanding any other residency or qualification requirements to the contrary.

(b) The council or board existing at the time of the adoption of the mayor-council form of government shall designate the geographical boundaries of the wards within one hundred twenty (120) days after the election in which the mayor-council form of government is selected. In designating the geographical boundaries of the wards, each ward shall contain, as nearly as possible, the population factor obtained by dividing the municipality's population as shown by the most recent decennial census by the number of wards into which the municipality is to be divided.

(c) (i) It shall be the mandatory duty of the council to redistrict the municipality by ordinance, which ordinance may
not be vetoed by the mayor, within six (6) months after the
official publication by the United States of the population of the
municipality as enumerated in each decennial census, and within
six (6) months after the effective date of any expansion of
municipal boundaries; however, if the publication of the most
recent decennial census or effective date of an expansion of the
municipal boundaries occurs six (6) months or more before
the **first party primary** of preferential election of a general
municipal election, then the council shall redistrict the
municipality by ordinance not less than sixty (60) days before
the **first party primary** preferential election.

(ii) If the publication of the most recent
decennial census occurs less than six (6) months before
the **first primary** preferential election of a general
municipal election, the election shall be held with regard to the
existing defined wards; reapportioned wards based on the census
shall not serve as the basis for representation until the next
regularly scheduled election in which council members shall be
elected.

(d) If annexation of additional territory into the
municipal corporate limits of the municipality occurs less than
six (6) months before the **first party primary** preferential
election of a general municipal election, the council shall, by
ordinance adopted within three (3) days of the effective date of
the annexation, assign the annexed territory to an adjacent ward
or wards so as to maintain as nearly as possible substantial
equality of population between wards; any subsequent redistricting
of the municipality by ordinance as required by this chapter shall
not serve as the basis for representation until the next regularly
scheduled election for municipal council members.

(5) Vacancies occurring in the council shall be filled as
provided in Section 23-15-857.

(6) The mayor shall maintain an office at the city hall.
The council members shall not maintain individual offices at the
city hall; however, in a municipality having a population of one
hundred thousand (100,000) and above according to the latest
federal decennial census, council members may have individual
offices in the city hall. Clerical work of council members in the
performance of the duties of their office shall be performed by
municipal employees or at municipal expense, and council members
shall be reimbursed for the reasonable expenses incurred in the
performance of the duties of their office.

SECTION 21. Section 21-9-15, Mississippi Code of 1972, is
amended as follows:

21-9-15. (1) (a) The legislative power of any city in
which the council-manager plan of government is in effect under
this chapter shall be vested in a council consisting of a mayor
and five (5) councilmen.

(b) Any city with a larger or smaller number of
councilmen, * * * prior to before September 30, 1962, may retain
this larger or smaller number of councilmen or may adopt the
council size of five (5) as prescribed herein. This option shall
be exercised through the enactment of an appropriate ordinance by
the municipal governing body prior to the election to
adopt the council-manager plan of government. In the event the
council fails to exercise this option, the council shall consist
of five (5) councilmen.

(c) At the next regular municipal election which takes
place after the adoption of the council-manager form of
government, the mayor shall be elected at large by the voters of
the entire city. Also, the councilmen shall be elected at large
by the voters of the entire city to represent a city-wide
district, or each of four (4) councilmen may be elected from a
ward to represent such ward and one (1) councilman may be elected
to represent a city-wide district. This option shall be exercised
by an appropriate ordinance enacted by the city governing
body prior to the election to adopt the
council-manager plan of government. In the event the council
fails to exercise this option, the councilmen shall be elected at
large to represent the city-wide district. In its discretion at
any time after adoption and implementation of the council-manager
plan of government the council may provide for the election of
councilmen by wards as provided herein, which shall become
effective at the next regularly scheduled election for city
councilmen.
(d) Councilmen elected to represent wards must be residents of their wards; and in cities having more or fewer than five (5) councilmen, **prior to before** September 30, 1962, the city governing body shall determine the number of councilmen to represent the wards and the number of councilmen to represent the city-wide district.

(e) The council of any municipality having a population exceeding forty-five thousand (45,000) inhabitants according to the 1970 decennial census which is situated in a Class 1 county bordering on the State of Alabama and which is governed by a council-manager plan of government on January 1, 1977, may, in its discretion, adopt an ordinance to require the election of four (4) of the five (5) council members from wards and not from the city at large. The four (4) council members shall be elected one (1) each from the wards in which they reside in the municipality, and shall be elected only by the registered voters residing within the ward in which the council member resides. The mayor and fifth council member may continue to be elected from the city at large. Any council member who shall remove his or her residence from the ward from which he or she was elected shall, by operation of law, vacate his or her seat on the council.

After publication of the population of the municipality according to the 1980 decennial census, the governing authorities of the municipality shall designate the geographical boundaries of new wards as provided in this **subparagraph paragraph**. Each
ward shall contain as nearly as possible the population factor obtained by dividing by four (4) the city's population as shown by the 1980 and each most recent decennial census thereafter. It shall be the mandatory duty of the council to redistrict the city by ordinance, which ordinance may not be vetoed by the mayor, within six (6) months after the official publication by the United States of the population of the city as enumerated in each decennial census, and within six (6) months after the effective date of any expansion of municipal boundaries; provided, however, if the publication of the most recent decennial census or effective date of an expansion of the municipal boundaries occurs six (6) months or more * * * prior to before the * * * first primary preferential election of a general municipal election, then the council shall redistrict the city by ordinance within at least sixty (60) days of * * * such first primary the preferential election. If the publication of the most recent decennial census occurs less than six (6) months * * * prior to before the * * * first primary preferential election of a general municipal election, the election shall be held with regard to currently defined wards; and reapportioned wards based on the census shall not serve as the basis for representation until the next regularly scheduled election in which council members shall be elected. If annexation of additional territory into the municipal corporate limits of the city shall occur less than six (6) months * * * prior to before the * * * first primary
preferential election of a general municipal election, the city council shall, by ordinance adopted within three (3) days of the effective date of such the annexation, assign such the annexed territory to an adjacent ward or wards so as to maintain as nearly as possible substantial equality of population between wards. Any subsequent redistricting of the city by ordinance as required by this section shall not serve as the basis for representation until the next regularly scheduled election for city councilmen.

(2) However, in any municipality situated in a Class 1 county bordering on the Mississippi Sound and the State of Alabama, traversed by U.S. Highway 90, the legislative power of such municipality in which the council-manager plan of government is in effect shall be vested in a council consisting of a mayor and six (6) councilmen. In the next regular municipal election in such municipality, the mayor shall be elected at large by the voters of the entire municipality. Also, the councilmen shall be elected at large by the voters of the entire municipality to represent a municipality-wide district, or each of five (5) councilmen may be elected from one (1) of five (5) wards to represent said ward and one (1) councilman shall be elected to represent a municipality-wide district. This option as to wards shall be exercised by an appropriate ordinance enacted by the municipal governing body. In the event the council fails to exercise this option, the councilmen shall be elected at large to
represent the municipality-wide district. Councilmen elected to represent wards must be residents of their wards.

The method of electing the mayor and councilmen shall be the same as otherwise provided by law except as provided in this chapter. The mayor and councilmen elected hereunder shall hold office for a term of four (4) years and until their successors are elected and qualified. No person shall be eligible to the office of mayor or councilman unless he or she is a qualified elector of such city.

(3) (a) In the event a city with a population of one hundred thousand (100,000) or more inhabitants according to the last decennial census adopts the council-manager form of government, the legislative power of said the city shall be vested in a council consisting of a mayor and eight (8) councilmen.

(b) At the next regular municipal election which takes place after the adoption of the council-manager form of government, the mayor shall be elected at large by the voters of the entire municipality. The municipality shall be divided into five (5) wards with one (1) councilman to be elected from each ward by the voters of that ward, and three (3) councilmen to be elected from the municipality at large. Councilmen elected to represent wards must be residents of their wards at the time of qualification for election, and any councilman who removes his or
her residence from the city or from the ward from which he was elected shall vacate his or her office.

(c) It shall be the duty of the municipal governing body existing at the time of the adoption of the council-manager form of government to designate the geographical boundaries of the five (5) wards within sixty (60) days after the election in which the council-manager form is selected. In designating the geographical boundaries of the five (5) wards, each ward shall contain as nearly as possible the population factor obtained by dividing by five (5) the city's population as shown by the most recent decennial census. It shall be the mandatory duty of the council to redistrict the city by ordinance, which ordinance may not be vetoed by the mayor, within six (6) months after the official publication by the United States of the population of the city as enumerated in each decennial census, and within six (6) months after the effective date of any expansion of municipal boundaries; however, if the publication of the most recent decennial census or effective date of an expansion of the municipal boundaries occurs six (6) months or more prior to before the * * *first primary preferential election of a general municipal election, then the council shall redistrict the city by ordinance within at least sixty (60) days of such * * *first primary preferential election. If the publication of the most recent decennial census occurs less than six (6) months prior to before the * * *first primary preferential election of a
general municipal election, the election shall be held with regard
to currently defined wards; and reapportioned wards based on the
census shall not serve as the basis for representation until the
next regularly scheduled election in which city councilmen shall
be elected. If annexation of additional territory into the
municipal corporate limits of the city shall occur less than six
(6) months prior to the first primary preferential election of a general municipal election, the city
council shall, by ordinance adopted within three (3) days of the
effective date of such annexation, assign such annexed territory
to an adjacent ward or wards so as to maintain as nearly as
possible substantial equality of population between wards; any
subsequent redistricting of the city by ordinance as required by
this section shall not serve as the basis for representation until
the next regularly scheduled election for city councilmen.

(4) The method of electing the mayor and councilmen shall be
the same as otherwise provided by law, except as provided in this
chapter. The mayor and councilmen elected hereunder shall hold
office for a term of four (4) years and until their successors are
elected and qualified. No person shall be eligible to the office
of mayor or councilman unless he or she is a qualified elector of
such city.

SECTION 22. Section 21-9-17, Mississippi Code of 1972, is
amended as follows:
21-9-17. Except as otherwise provided, all candidates for mayor and councilmen, or any of them, to be voted for at any general or special municipal election, shall be nominated by * * *party primary election preferential election, and no other name or names shall be placed on the official ballot at such general or special election than those selected in the manner prescribed herein. Such * * *primary election or elections, preferential election shall be held not less than ten (10), nor more than thirty (30) days, preceding the general or special election, and such * * *primary election or elections preferential election shall be held and conducted in the manner as near as may be as is provided by law for state and county * * *primary preferential elections.

SECTION 23. Section 21-15-1, Mississippi Code of 1972, is amended as follows:

21-15-1. All officers elected at the general or regular municipal election provided for in Section * * *23-15-173 11 of this act, shall qualify and enter upon the discharge of their duties on the first day of July after such general election that is not on a weekend, and shall hold their offices for a term of four (4) years and until their successors are duly elected and qualified.

SECTION 24. Section 21-31-27, Mississippi Code of 1972, is amended as follows:
21-31-27. No person holding any office, place, position or employment subject to civil service, is under any obligation to contribute to any political fund or to render any political service to any person or party whatsoever, and no person shall be removed, reduced in grade or salary, or otherwise prejudiced for refusing so to do. No public officer, whether elected or appointed, shall discharge, promote, demote or in any manner change the official rank, employment or compensation of any person under civil service, or promise or threaten so to do, for giving or withholding, or neglecting to make any contribution of money, or service, or any other valuable thing, for any political purpose. If any person holding any office, place, position or employment subject to civil service, actively participates in political activity in any primary preferential election or general election in a municipality where he or she is employed, it shall be deemed cause for removal.

SECTION 25. Section 23-15-11, Mississippi Code of 1972, is amended as follows:

23-15-11. Every inhabitant of this state, except persons adjudicated to be non compos mentis, who is a citizen of the United States of America, eighteen (18) years old and upwards, who has resided in this state for thirty (30) days and for thirty (30) days in the county in which he or she seeks to vote, and for thirty (30) days in the incorporated municipality in which he or
she seeks to vote, and who has been duly registered as an elector under Section 23-15-33, and who has never been convicted of vote fraud or of any crime listed in Section 241, Mississippi Constitution of 1890, shall be a qualified elector in and for the county, municipality and voting precinct of his or her residence, and shall be entitled to vote at any election upon compliance with Section 23-15-563. If the thirtieth day to register before an election falls on a Sunday or legal holiday, the registration applications submitted on the business day immediately following the Sunday or legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling voters to vote in the next election. Any person who will be eighteen (18) years of age or older on or before the date of the general election and who is duly registered to vote not less than thirty (30) days before the primary preferential election associated with the general election, may vote in the primary preferential election even though the person has not reached his or her eighteenth birthday at the time that the person seeks to vote at the primary preferential election. No others than those specified in this section shall be entitled, or shall be allowed, to vote at any election.

SECTION 26. Section 23-15-21, Mississippi Code of 1972, is amended as follows:

23-15-21. It shall be unlawful for any person who is not a citizen of the United States or the State of Mississippi to...
register or to vote in any *primary special, preferential or
general election in the state.

SECTION 27. Section 23-15-31, Mississippi Code of 1972, is
amended as follows:

23-15-31. All of the provisions of this subarticle shall be
applicable, insofar as possible, to municipal, *primary
preferential, general and special elections; and wherever therein
any duty is imposed or any power or authority is conferred upon
the county registrar *or county election
commissioners *or county executive committee
with reference to
a state and county election, such duty shall likewise be conferred
upon the municipal registrar *or municipal election
commission *or municipal executive committee
with reference to
any municipal election.

SECTION 28. Section 23-15-37, Mississippi Code of 1972, is
amended as follows:

23-15-37. (1) The registrar shall register the electors of
his or her county at any time during regular office hours.

(2) The county registrar may keep his or her office open to
register voters from 8:00 a.m. until 7:00 p.m., including the noon
hour, for the five (5) business days immediately preceding the
thirtieth day before any regularly scheduled *primary
preferential or general election. The county registrar shall also
keep his or her office open from 8:00 a.m. until 12:00 noon on the
Saturday immediately preceding the thirtieth day before any
regularly scheduled \* \* \* primary preferential or general election, unless that Saturday falls on a legal holiday, in which case registration applications submitted on the Monday immediately following the legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling such voters to vote in the next primary or general election.

(3) The registrar, or any deputy registrar duly appointed by law, may visit and spend such time as he or she may deem necessary at any location in his or her county, selected by the registrar not less than thirty (30) days before an election, for the purpose of registering voters.

(4) A person who is physically disabled and unable to visit the office of the registrar to register to vote due to such disability may contact the registrar and request that the registrar or the registrar's deputy visit him or her for the purpose of registering such person to vote. The registrar or the registrar's deputy shall visit that person as soon as possible after such request and provide the person with an application for registration, if necessary. The completed application for registration shall be executed in the presence of the registrar or the registrar's deputy.

(5) (a) In the fall and spring of each year the registrar of each county shall furnish all public schools with mail-in voter registration applications. The applications shall be provided in a reasonable time to enable those students who will be eighteen
(18) years of age before a general election to be able to vote in the primary and general elections.

(b) Each public school district shall permit access to all public schools of this state for the county registrar or the county registrar's deputy to register persons who are eligible to vote and to provide voter education.

SECTION 29. Section 23-15-153, Mississippi Code of 1972, is amended as follows:

23-15-153. (1) At least during the following times, the election commissioners shall meet at the office of the registrar or the office of the election commissioners to carefully revise the county voter roll as electronically maintained by the Statewide Elections Management System and remove from the roll the names of all voters who have requested to be purged from the voter roll, died, received an adjudication of non compos mentis, been convicted of a disenfranchising crime, or otherwise become disqualified as electors for any cause, and shall register the names of all persons who have duly applied to be registered but have been illegally denied registration:

(a) On the Tuesday after the second Monday in January 1987 and every following year;

(b) On the first Tuesday in the month immediately preceding the first primary election for members of Congress in the years when members of Congress are elected;
(c) On the first Monday in the month immediately preceding the first primary preferential election for state, state district legislative, county and county district offices in the years in which those offices are elected; and

(d) On the second Monday of September preceding the general election or regular special election day in years in which a general election is not conducted.

Except for the names of those voters who are duly qualified to vote in the election, no name shall be permitted to remain in the Statewide Elections Management System; however, no name shall be purged from the Statewide Elections Management System based on a change in the residence of an elector except in accordance with procedures provided for by the National Voter Registration Act of 1993. Except as otherwise provided by Section 23-15-573, no person shall vote at any election whose name is not in the county voter roll electronically maintained by the Statewide Elections Management System.

(2) Except as provided in this section, and subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars ($100.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in
the revision of the county voter roll as electronically maintained
by the Statewide Elections Management System as required in
subsection (1) of this section:

(a) In counties having less than fifteen thousand
(15,000) residents according to the latest federal decennial
census, not more than fifty (50) days per year, with no more than
fifteen (15) additional days allowed for the conduct of each
election in excess of one (1) occurring in any calendar year;

(b) In counties having fifteen thousand (15,000)
residents according to the latest federal decennial census but
less than thirty thousand (30,000) residents according to the
latest federal decennial census, not more than seventy-five (75)
days per year, with no more than twenty-five (25) additional days
allowed for the conduct of each election in excess of one (1)
occurring in any calendar year;

(c) In counties having thirty thousand (30,000)
residents according to the latest federal decennial census but
less than seventy thousand (70,000) residents according to the
latest federal decennial census, not more than one hundred (100)
days per year, with no more than thirty-five (35) additional days
allowed for the conduct of each election in excess of one (1)
occurring in any calendar year;

(d) In counties having seventy thousand (70,000)
residents according to the latest federal decennial census but
less than ninety thousand (90,000) residents according to the
latest federal decennial census, not more than one hundred twenty-five (125) days per year, with no more than forty-five (45) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than one hundred fifty (150) days per year, with no more than fifty-five (55) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than one hundred ninety (190) days per year, with no more than seventy-five (75) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;
(h) In counties having two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census but less than two hundred fifty thousand (250,000) residents according to the latest federal decennial census, not more than two hundred fifteen (215) days per year, with no more than eighty-five (85) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(i) In counties having two hundred fifty thousand (250,000) residents according to the latest federal decennial census but less than two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census, not more than two hundred thirty (230) days per year, with no more than ninety-five (95) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(j) In counties having two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census or more, not more than two hundred forty (240) days per year, with no more than one hundred five (105) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year.

(3) In addition to the number of days authorized in subsection (2) of this section, the board of supervisors of a county may authorize, in its discretion, the election commissioners to receive a per diem in the amount provided for in subsection (2) of this section, to be paid from the county general fund.
fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section, not to exceed five (5) days.

(4) (a) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars ($100.00), to be paid from the county general fund, not to exceed ten (10) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System before any special election. For purposes of this paragraph, the regular special election day shall not be considered a special election. The annual limitations set forth in subsection (2) of this section shall not apply to this paragraph.

(b) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Fifty Dollars ($150.00), to be paid from the county general fund, for the performance of their duties on the day of any primary, runoff,
general or special election. The annual limitations set forth in subsection (2) of this section shall apply to this paragraph.

(c) The board of supervisors may, in its discretion, pay the election commissioners an additional amount not to exceed Fifty Dollars ($50.00) for the performance of their duties at any election occurring from July 1, 2020, through December 31, 2020, which shall be considered additional pandemic pay. Such compensation shall be payable out of the county general fund, and may be payable from federal funds available for such purpose, or a combination of both funding sources.

(5) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars ($100.00), to be paid from the county general fund, not to exceed fourteen (14) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System and in the conduct of a runoff election following either a general or special election.

(6) The election commissioners shall be entitled to receive only one (1) per diem payment for those days when the election commissioners discharge more than one (1) duty or responsibility on the same day.

(7) In preparation for a municipal primary, runoff, general or special election, the county registrar shall generate and
distribute the master voter roll and pollbooks from the Statewide Elections Management System for the municipality located within the county. The municipality shall pay the county registrar for the actual cost of preparing and printing the municipal master voter roll pollbooks. A municipality may secure "read only" access to the Statewide Elections Management System and print its own pollbooks using this information.

(8) County election commissioners who perform the duties of an executive committee with regard to the conduct of a *primary preferential* election under a written agreement authorized by law to be entered into with an executive committee shall receive per diem as provided for in subsection (2) of this section. The days that county election commissioners are employed in the conduct of a primary election shall be treated the same as days county election commissioners are employed in the conduct of other elections.

(9) In addition to any per diem authorized by this section, any election commissioner shall be entitled to the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel on election day.

(10) Every election commissioner shall sign personally a certification setting forth the number of hours actually worked in the performance of the commissioner's official duties and for which the commissioner seeks compensation. The certification must be on a form as prescribed in this subsection. The commissioner's
signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

The certification form shall be as follows:

COUNTY ELECTION COMMISSIONER

PER DIEM CLAIM FORM

<table>
<thead>
<tr>
<th>PURPOSE</th>
<th>APPLICABLE</th>
<th>ACTUAL</th>
<th>PER DIEM</th>
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<td>DATE</td>
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____________________________________________________

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TOTAL NUMBER OF PER DIEM DAYS EARNED

EXCLUDING ELECTION DAYS

PER DIEM RATE PER DAY EARNED

TOTAL NUMBER PER DIEM DAYS EARNED

FOR ELECTION DAYS

PER DIEM RATE PER DAY EARNED

TOTAL AMOUNT OF PER DIEM CLAIMED

I understand that I am signing this document under my oath as an election commissioner and under penalties of perjury.
I understand that I am requesting payment from taxpayer funds and that I have an obligation to be specific and truthful as to the amount of hours worked and the compensation I am requesting.

Signed this the ____ day of ______________, ____.

________________________
Commissioner's Signature

When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon the oral or written request of any person.

Any person may contest the accuracy of the certification in any respect by notifying the chair of the commission, any member of the board of supervisors or the clerk of the board of supervisors of the contest at any time before or after payment is made. If the contest is made before payment is made, no payment shall be made as to the contested certificate until the contest is finally disposed of. The person filing the contest shall be entitled to a full hearing, and the clerk of the board of supervisors shall issue subpoenas upon request of the contestor compelling the attendance of witnesses and production of documents and things. The contestor shall have the right to appeal de novo to the circuit court of the involved county, which appeal must be perfected within thirty (30) days from a final decision of the
commission, the clerk of the board of supervisors or the board of
supervisors, as the case may be.

Any contestant who successfully contests any certification
will be awarded all expenses incident to his or her contest,
together with reasonable attorney's fees, which will be awarded
upon petition to the chancery court of the involved county upon
final disposition of the contest before the election commission,
board of supervisors, clerk of the board of supervisors, or, in
case of an appeal, final disposition by the court. The
commissioner against whom the contest is decided shall be liable
for the payment of the expenses and attorney's fees, and the
county shall be jointly and severally liable for same.

(11) Any election commissioner who has not received a
certificate issued by the Secretary of State pursuant to Section
23-15-211 indicating that the election commissioner has received
the required elections seminar instruction and that the election
commissioner is fully qualified to conduct an election, shall not
receive any compensation authorized by this section or Section
23-15-239.

SECTION 30. Section 23-15-173, Mississippi Code of 1972, is
amended as follows:

23-15-173. (1) A general municipal election shall be held
in each city, town or village on the first Tuesday after the first
Monday of June 1985, and every four (4) years thereafter, for the
election of all municipal officers elected by the people.
(2) All municipal general elections shall be held and conducted in the same manner as is provided by law for state and county general elections.

(3) The provisions of Sections 23-15-171 and 23-15-173, which fix the times to hold primary and general elections, shall not apply to any municipality operating under a special or private charter where the governing board or authority thereof, on or before June 25, 1952, shall have adopted and spread upon its minutes a resolution or ordinance declining to accept the provisions, in which event the primary and general elections shall be held at the time fixed by the charter of the municipality.

SECTION 31. Section 23-15-197, Mississippi Code of 1972, is amended as follows:


(2) Times for holding elections for the office of judge of the Supreme Court shall be as prescribed in Section 23-15-991 and Sections 23-15-974 through 23-15-985, and times for holding elections for the office of judge of the Court of Appeals shall be as prescribed in Section 9-4-5.

(4) Times for holding elections for the office of county election commissioners shall be as prescribed in Section 23-15-213.

(5) Times for holding elections for the office of levee commissioner shall be as prescribed in Chapter 12, Laws of 1928; Chapter 574, Laws of 1968; Chapter 85, Laws of 1930; Chapter 317, Laws of 1983; and Chapter 438, Laws of 2010.

SECTION 32. Section 23-15-213, Mississippi Code of 1972, is amended as follows:

[Until December 31, 2022, this section shall read as follows:]

23-15-213. (1) At the general election in 2020, there shall be elected five (5) election commissioners for each county whose terms of office shall commence on the first Monday of January following their election. Each of the commissioners shall be required to attend a training seminar provided by the Secretary of State and satisfactorily complete a skills assessment, and before acting, shall take and subscribe the oath of office prescribed by the Constitution. The oath shall be filed in the office of the clerk of the chancery court. Upon filing the oath of office, the election commissioner may be provided access to the Statewide Elections Management System for the purpose of performing his or her duties. While engaged in their duties, the commissioners shall be conservators of the peace in the county, with all the duties and powers of such.
(2) The qualified electors of each supervisors district shall elect, at the general election in 2020, in their district one (1) election commissioner. The election commissioners from board of supervisors' Districts One, Three and Five shall serve for a term of four (4) years. The election commissioners from board of supervisors' Districts Two and Four shall serve for a term of three (3) years. No more than one (1) commissioner shall be a resident of and reside in each supervisors district of the county; it being the purpose of this section that the county board of election commissioners shall consist of one (1) person from each supervisors district of the county and that each commissioner be elected from the supervisors district in which he or she resides.

(3) Candidates for county election commissioner shall qualify by filing with the clerk of the board of supervisors of their respective counties a petition personally signed by not less than fifty (50) qualified electors of the supervisors district in which they reside, requesting that they be a candidate, by 5:00 p.m. not later than the first Monday in June of the year in which the election occurs and unless the petition is filed within the required time, their names shall not be placed upon the ballot. All candidates shall declare in writing their party affiliation, if any, to the board of supervisors, and such party affiliation shall be shown on the official ballot.
(4) The petition shall have attached thereto a certificate of the county registrar showing the number of qualified electors on each petition, which shall be furnished by the registrar on request. The board shall determine the sufficiency of the petition, and if the petition contains the required number of signatures and is filed within the time required, the president of the board shall verify that the candidate is a resident of the supervisors district in which he or she seeks election and that the candidate is otherwise qualified as provided by law, and shall certify that the candidate is qualified to the chair or secretary of the county election commission and the names of the candidates shall be placed upon the ballot for the ensuing election. No county election commissioner shall serve or be considered as elected until he or she has received a majority of the votes cast for the position or post for which he or she is a candidate. If a majority vote is not received in the first preferential election, then the two (2) candidates receiving the most votes for each position or post shall be placed upon the ballot for a second election to be held three (3) weeks later procedures described in Sections 5 and 6 of this act shall be followed to determine the candidates whose names will be placed on the general election ballot, which is in accordance with appropriate procedures followed in other elections involving runoff candidates when no candidate receives a majority of the votes.
(5) Upon taking office, the county election commissioners shall organize by electing a chair and a secretary.

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

[From and after January 1, 2023, this section shall read as follows:]

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

(2) (a) At the general election in 2024 and every four (4) years thereafter, the qualified electors of the board of supervisors' Districts One, Three and Five shall elect in their district one (1) election commissioner.
At the general election in 2023 and every four (4) years thereafter, the qualified electors of the board of supervisors' Districts Two and Four shall elect in their district one (1) election commissioner.

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

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

The petition shall have attached thereto a certificate of the county registrar showing the number of qualified electors on each petition, which shall be furnished by the registrar on request. The board shall determine the sufficiency of the
petition, and if the petition contains the required number of
signatures and is filed within the time required, the president of
the board shall verify that the candidate is a resident of the
supervisors district in which he or she seeks election and that
the candidate is otherwise qualified as provided by law, and shall
certify that the candidate is qualified to the chair or secretary
of the county election commission and the names of the candidates
shall be placed upon the ballot for the ensuing election. No
county election commissioner shall serve or be considered as
elected until he or she has received a majority of the votes cast
for the position or post for which he or she is a candidate. If a
majority vote is not received in the first preferential
election, then the two (2) candidates receiving the most
votes for each position or post shall be placed upon the ballot
for a second election to be held three (3) weeks later. Procedures
described in Sections 5 and 6 of this act shall be followed to
determine the candidates whose names will be placed on the general
election ballot, which is in accordance with appropriate
procedures followed in other elections involving runoff
candidates when no candidate receives a majority of the votes.
(5) In the first meeting in January of each year, the county
election commissioners shall organize by electing a chair and a
secretary, who shall serve a one-year term. The county
election commissioners shall provide the names of the chair and
secretary to the Secretary of State and provide notice of any change in officers which may occur during the year.

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

SECTION 33. Section 23-15-239, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2020, this section shall read as follows:]

23-15-239. (1) The executive committee of each county, in the case of a * * * primary preferential election, or the election commissioners of each county, in the case of all other elections, in conjunction with the circuit clerk, shall, in the years in which counties conduct an election, sponsor and conduct, not less than five (5) days before each election, not less than four (4) hours and not more than eight (8) hours of poll manager training to instruct poll managers as to their duties in the proper administration of the election and the operation of the polling place. Any poll manager who completes the online training course provided by the Secretary of State shall only be required to complete two (2) hours of in-person poll manager training. No poll manager shall serve in any election unless he or she has received these instructions once during the twelve (12) months immediately preceding the date upon which the election is held; however, nothing in this section shall prevent the appointment of an alternate poll manager to fill a vacancy in case of an...
emergency. The county executive committee or the election
commissioners, as appropriate, shall train a sufficient number of
alternates to serve in the event a poll manager is unable to serve
for any reason.

(2) (a) If it is eligible under Section 23-15-266, the
county executive committee may enter into a written agreement with
the circuit clerk or the county election commission authorizing
the circuit clerk or the county election commission to perform any
of the duties required of the county executive committee pursuant
to this section. Any agreement entered into pursuant to this
subsection shall be signed by the chair of the county executive
committee and the circuit clerk or the chair of the county
election commission, as appropriate. The county executive
committee shall notify the state executive committee and the
Secretary of State of the existence of the agreement.

(b) If it is eligible under Section 23-15-266, the
municipal executive committee may enter into a written agreement
with the municipal clerk or the municipal election commission
authorizing the municipal clerk or the municipal election
commission to perform any of the duties required of the municipal
executive committee pursuant to this section. Any agreement
entered into pursuant to this subsection shall be signed by the
chair of the municipal executive committee and the municipal clerk
or the chair of the municipal election commission, as appropriate.
The municipal executive committee shall notify the state executive
(3) The board of supervisors and the municipal governing authority, in their discretion, may compensate poll managers who attend these training sessions. The compensation shall be at a rate of not less than the federal hourly minimum wage nor more than Twelve Dollars ($12.00) per hour. Poll managers shall not be compensated for more than sixteen (16) hours of attendance at the training sessions regardless of the actual amount of time that they attended the training sessions.

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

(5) Subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars ($100.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed.
in the performance of their duties for the necessary time spent in conducting training sessions as required by this section:

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

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

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

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

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than fifteen (15) days per year;
(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than eighteen (18) days per year;

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

(h) In counties having two hundred twenty-five thousand (225,000) residents or more according to the latest federal decennial census, not more than twenty-two (22) days per year.

(6) Election commissioners shall claim the per diem authorized in subsection (5) of this section in the manner provided for in Section 23-15-153(6).

(7) (a) To provide poll manager training, the Secretary of State has developed a single, comprehensive poll manager training program to ensure uniform, secure elections throughout the state. The program includes online training on all state and federal election laws and procedures and voting machine opening and closing procedures.

(b) County election commissioners shall designate one (1) poll manager per precinct, who shall individually access and complete the online training program, including all skills.
assessments, at least five (5) days before an election. The poll manager shall be defined as a "certified poll manager," and entitled to a "Certificate of Completion" and compensation for the successful completion of the training and skills assessment in the amount of Twenty-five Dollars ($25.00) payable from the Secretary of State. Compensation paid to any poll manager under this paragraph (b) shall not exceed Twenty-five Dollars ($25.00) per calendar year.

(c) Every election held after January 1, 2018, shall have at least one (1) certified poll manager appointed by the county election officials to work in each polling place in the county during each general election.

[From and after January 1, 2020, this section shall read as follows:]

23-15-239. (1) The executive committee of each county, in the case of a * * * primary preferential election, or the election commissioners of each county, in the case of all other elections, in conjunction with the circuit clerk, shall, in the years in which counties conduct an election, sponsor and conduct, not less than five (5) days before each election, not less than four (4) hours and not more than eight (8) hours of poll manager training to instruct poll managers as to their duties in the proper administration of the election and the operation of the polling place. Any poll manager who completes the online training course provided by the Secretary of State shall only be required to...
complete two (2) hours of in-person poll manager training. No
poll manager shall serve in any election unless he or she has
received these instructions once during the twelve (12) months
immediately preceding the date upon which the election is held;
however, nothing in this section shall prevent the appointment of
an alternate poll manager to fill a vacancy in case of an
emergency. The county executive committee or the election
commissioners, as appropriate, shall train a sufficient number of
alternates to serve in the event a poll manager is unable to serve
for any reason.

(2) (a) If it is eligible under Section 23-15-266, the
county executive committee may enter into a written agreement with
the circuit clerk or the county election commission authorizing
the circuit clerk or the county election commission to perform any
of the duties required of the county executive committee pursuant
to this section. Any agreement entered into pursuant to this
subsection shall be signed by the chair of the county executive
committee and the circuit clerk or the chair of the county
election commission, as appropriate. The county executive
committee shall notify the state executive committee and the
Secretary of State of the existence of the agreement.

(b) If it is eligible under Section 23-15-266, the
municipal executive committee may enter into a written agreement
with the municipal clerk or the municipal election commission
authorizing the municipal clerk or the municipal election
commission to perform any of the duties required of the municipal executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chair of the municipal executive committee and the municipal clerk or the chair of the municipal election commission, as appropriate. The municipal executive committee shall notify the state executive committee and the Secretary of State of the existence of the agreement.

(3) The board of supervisors and the municipal governing authority, in their discretion, may compensate poll managers who attend these training sessions. The compensation shall be at a rate of not less than the federal hourly minimum wage nor more than Twelve Dollars ($12.00) per hour. Poll managers shall not be compensated for more than sixteen (16) hours of attendance at the training sessions regardless of the actual amount of time that they attended the training sessions.

(4) The time and location of the training sessions required pursuant to this section shall be announced to the general public by posting a notice thereof at the courthouse and by delivering a copy of the notice to the office of a newspaper having general circulation in the county five (5) days before the date upon which the training session is to be conducted. Persons who will serve as poll watchers for candidates and political parties, as well as members of the general public, shall be allowed to attend the sessions.
Subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars ($100.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in conducting training sessions as required by this section:

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

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

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

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than twelve (12) days per year;
(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than fifteen (15) days per year;

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

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

(h) In counties having two hundred twenty-five thousand (225,000) residents or more according to the latest federal decennial census, not more than twenty-two (22) days per year.

(6) Election commissioners shall claim the per diem authorized in subsection (5) of this section in the manner provided for in Section 23-15-153(6).

(7) (a) To provide poll manager training, the Secretary of State has developed a single, comprehensive poll manager training program to ensure uniform, secure elections throughout the state. The program includes online training on all state and federal
election laws and procedures and voting machine opening and closing procedures.

(b) County poll managers who individually access and complete the online training program, including all skills assessments, at least five (5) days before an election shall be defined as "certified poll managers," and entitled to a "Certificate of Completion."

(c) At least one (1) certified poll manager shall be appointed by the county election officials to work in each polling place in the county during each general election.

SECTION 34. Section 23-15-240, Mississippi Code of 1972, is amended as follows:

23-15-240. (1) The officials in charge of the election in a county or municipality may, in their discretion, appoint not more than two (2) students for each precinct to serve as student interns during elections. To be appointed a student intern a student must:

(a) Be recommended by a principal or other school official, or the person responsible for the student's legitimate home instruction program;

(b) Be at least sixteen (16) years of age at the time of the election for which the appointment is made;

(c) Be a resident of the county or municipality for which the appointment is made;
(d) Be enrolled in a public high school, an accredited private high school or a legitimate home instruction program and be classified as a junior or senior or its equivalent, or be enrolled in a junior college or a college or university; and

(e) Meet any additional qualifications considered necessary by the officials in charge of the election in the county or municipality.

(2) (a) The duties of the student interns appointed pursuant to this section shall be determined by the officials in charge of the election in the county or municipality; however, the duties shall not include:

(i) Determining the qualifications of a voter in case a voter is challenged;

(ii) The discharge of any duties related to affidavit ballots;

(iii) The operation and maintenance of any voting equipment;

(iv) Any duties normally assigned to a bailiff; or

(v) The tallying of votes.

(b) Student interns shall at all times be under the supervision of the poll managers of the election while performing their duties at precincts.

(3) Before performing any duties, student interns shall attend all required training for poll managers of the county or municipality and any additional training considered necessary by
the officials in charge of the election in the county or
municipality.

(4) As used in this section "officials in charge of the
election" means the county or municipal executive committee, as
appropriate, in * * * primary preferential elections and the county
or municipal election commission, as appropriate, in all other
elections.

SECTION 35. Section 23-15-266, Mississippi Code of 1972, is
amended as follows:

23-15-266. A county or municipal executive committee shall
be eligible to enter into written agreements with a circuit or
municipal clerk or a county or municipal election commission as
provided for in Section 23-15-239(2) * * *, 23-15-265(2),
the political party with which such county or municipal executive
committee is affiliated:

(a) Has cast for its candidate for Governor in the last
two (2) gubernatorial elections ten percent (10%) of the total
vote cast for Governor; or

(b) Has cast for its candidate for Governor in three
(3) of the last five (5) gubernatorial elections twenty-five
percent (25%) of the total vote cast for Governor.

SECTION 36. Section 23-15-271, Mississippi Code of 1972, is
amended as follows:
23-15-271. (1) The state executive committee of any political party authorized to conduct primaries preferential elections shall form an election integrity assurance committee for each congressional district. The state executive committee shall appoint three (3) of its members to each congressional district election integrity assurance committee. The members so appointed shall be residents of the congressional district for which the election integrity assurance committee is formed. The state executive committee shall name a chair and a secretary from among the members of each committee. The state executive committee shall provide to each circuit and municipal clerk a list of the members of the congressional district integrity assurance committee for the congressional district in which the county or municipality of the clerk is located.

(2) If within sixty (60) days of an election, a county executive committee or a municipal executive committee fails to attend training or perform in a timely manner any of the duties specified in Sections 23-15-239, 23-15-265, 23-15-267, 23-15-333, 23-15-335 and 23-15-597 and there is no written agreement in place between the county or municipal executive committee and the county or municipal election commission or the circuit or municipal clerk pursuant to such sections, or there is such an agreement in place and it is not being executed, the circuit or municipal clerk shall notify the chair and secretary of the congressional district.
election integrity assurance committee or the chair of the state executive committee of such failure and call upon them to take immediate and appropriate action to ensure that such duties are performed in order to secure the orderly conduct of the * * * primary preferential election. Upon receiving the notice, the election integrity assurance committee shall be responsible for conducting any required training and shall be authorized to contract on behalf of the county or municipal executive committee with the county or municipal election commission or the circuit or municipal clerk for the conduct of the * * * primary preferential election.

(3) Nothing in this section shall be construed to authorize the state executive committee or a congressional district election assurance committee to conduct * * * primaries preferential elections.

SECTION 37. Section 23-15-313, Mississippi Code of 1972, is amended as follows:

23-15-313. (1) If there be any political party, or parties, in any municipality which shall not have a party executive committee for * * * such the municipality, * * * such the political party, or parties, shall within thirty (30) days of the date for which a candidate for a municipal office is required to qualify in that municipality select qualified electors of that municipality and of that party's political faith to serve on a temporary municipal executive committee until members of a municipal
executive committee are elected at the next regular election for executive committees. The temporary municipal executive committee shall be selected in the following manner: The chairman of the county executive committee of the party desiring to select a temporary municipal executive committee shall call, upon petition of five (5) or more members of that political faith, a mass meeting of the qualified electors of their political faith who reside in such municipality to meet at some convenient place within such municipality, at a time to be designated in the call, and at such mass convention the members of that political faith shall select a temporary municipal executive committee which shall serve until members of a municipal executive committee are elected at the next regular election for executive committees. The public shall be given notice of such mass meeting as provided in Section 23-15-315. The chairman of the county executive committee shall authorize the call within five (5) calendar days of receipt of the petition. If the chairman of the county executive committee is either incapacitated, unavailable or nonresponsive and does not authorize the mass call within five (5) calendar days of receipt of the petition, any elected officer of the county executive committee may authorize the call within five (5) calendar days. If no elected officer of the county executive committee acts to approve such petition after an additional five (5) calendar days from the date, the chair of the county executive committee not
taking action as provided by this section, the petitioners shall be authorized to produce the call themselves.

(2) If no municipal executive committee is selected or otherwise formed before an election, the county executive committee may serve as the temporary municipal executive committee and exercise all of the duties of the municipal executive committee for the municipal election. After a county executive committee has fulfilled its duties as the temporary municipal executive committee, as soon as practicable thereafter, the county executive committee shall select a municipal executive committee no later than before the next municipal election.

(3) A person who has been convicted of a felony in a court of this state or any other state or a court of the United States, shall be barred from serving as a member of a municipal executive committee.

SECTION 38. Section 23-15-367, Mississippi Code of 1972, is amended as follows:

23-15-367. (1) Except as otherwise provided by Sections 23-15-974 through 23-15-985 and subsection (2) of this section, the size, print and quality of paper of the official ballot is left to the discretion of the officer charged with printing the official ballot.

(2) The titles for the various offices shall be listed in the following order:
(a) Candidates, electors or delegates for the following national offices:

   (i) President;

   (ii) United States Senator or United States Representative;

(b) Candidates for the following statewide office:

   Governor, Lieutenant Governor, Secretary of State, Attorney General, State Treasurer, Auditor of Public Accounts, Commissioner of Agriculture and Commerce, Commissioner of Insurance;

(c) Candidates for the following state district offices: Mississippi Transportation Commissioner, Public Service Commissioner, District Attorney;

(d) Candidates for the following legislative offices: Senate and House of Representatives;

(e) Candidates for countywide office;

(f) Candidates for county district office.

The order in which the titles for the various offices are listed within paragraphs (e) and (f) is left to the discretion of the county election commissioners. Nominees of the political parties, qualified to conduct primary elections as defined in Section 23-15-291, shall be listed first alphabetically by the candidate's last name, followed by any other candidates listed alphabetically by last name.

(3) It is the duty of the Secretary of State, with the approval of the Governor, to furnish the designated election
commissioner of each county a sample of the official ballot, not
less than **fifty-five (55) fifty (50)** days before the
election, the general form of which shall be followed as nearly as
practicable.

**SECTION 39.** Section 23-15-375, Mississippi Code of 1972, is
amended as follows:

23-15-375. Local issue elections may be held on the same
date as any regular or general election. A local issue election
held on the same date as the regular or general election shall be
conducted in the same manner as the regular or general election
using the same poll workers and the same equipment. A local issue
may be placed on the regular or general election ballot pursuant
to the provisions of Section **23-15-359 10 of this act.** The
provisions of this section and Section **23-15-359 10 of this
act** with regard to local issue elections shall not be construed to
affect any statutory requirements specifying the notice procedure
and the necessary percentage of qualified electors voting in such
an election which is needed for adoption of the local issue.

Whether or not a local issue is adopted or defeated at a local
issue election held on the same day as a regular or general
election shall be determined in accordance with relevant statutory
requirements regarding the necessary percentage of qualified
electors who voted in the local issue election, and only those
persons voting for or against the issue shall be counted in making
that determination. As used in this section "local issue
elections" include elections regarding the issuance of bonds, local option elections, elections regarding the levy of additional ad valorem taxes and other similar elections authorized by law that are called to consider issues that affect a single local governmental entity. As used in this section "local issue" means any issue that may be voted on in a local issue election.

SECTION 40. Section 23-15-507, Mississippi Code of 1972, is amended as follows:

23-15-507. No OMR equipment shall be acquired or used in accordance with this chapter unless it shall:

(a) Permit eligible voters to vote at any election for all persons for whom they are lawfully entitled to vote; to vote for as many persons for an office as they are lawfully entitled to vote; to vote for or against any ballot initiative, measure or other local issue upon which they are lawfully entitled to vote;

(b) The OMR equipment shall be capable of rejecting choices marked on the ballot if the number of choices exceeds the number that the voter is entitled to vote for the office or on the measure;

(c) Permit each voter, in presidential elections, by one (1) mark to vote for the candidates of that party for President, Vice President, and their presidential electors, or to vote individually for the electors of their choice when permitted by law;
(d) Permit each voter, in other than primary elections, to vote for the nominees of one or more parties and for independent candidates;

(e) Permit each voter to vote for candidates only in the primary in which he or she is qualified to vote;

(f) Permit each voter to vote for persons whose names are not on the printed ballot;

(g) Be suitably designed for the purpose used, of durable construction, and may be used safely, efficiently and accurately in the conduct of elections and the counting of ballots;

(h) Be provided with means for sealing the ballots after the close of the polls;

(i) When properly operated, record correctly and count accurately all votes cast; and

(j) Provide the voter with a set of instructions that will be displayed in such a way that a voter may readily learn the method of voting.

SECTION 41. Section 23-15-511, Mississippi Code of 1972, is amended as follows:

23-15-511. The ballots shall, as far as practicable, be in the same order of arrangement as provided for paper ballots that are to be counted manually, except that the information may be printed in vertical or horizontal rows. Nothing in this chapter shall be construed as prohibiting the information being presented
to the voters from being printed on both sides of a single ballot.

In those years when a special election shall occur on the same day as the general election, the names of candidates in any special election and the general election shall be placed on the same ballot by the election commissioners or officials in charge of the election, but the general election candidates shall be clearly distinguished from the special election candidates. At any time a special election is held on the same day as a party primary preferential election, the names of the candidates in the special election may be placed on the same ballot by the officials in charge of the election, but shall be clearly distinguished as special election candidates or party preferential election candidates.

Ballots shall be printed in plain clear type in black ink and upon clear white materials of such size and arrangement as to be compatible with the OMR equipment. Absentee ballots shall be prepared and printed in the same form and shall be on the same size and texture as the regular official ballots, except that they shall be printed on tinted paper; or the ink used to print the ballots shall be of a color different from that of the ink used to print the regular official ballots. Arrows may be printed on the ballot to indicate the place to mark the ballot, which may be to the right or left of the names of candidates and propositions. The titles of offices may be arranged in vertical columns on the ballot and shall be printed above or at the side of the names of
candidates so as to indicate clearly the candidates for each  
office and the number to be elected. In case there are more  
candidates for an office than can be printed in one (1) column,  
the ballot shall be clearly marked that the list of candidates is  
continued on the following column. The names of candidates for  
each office shall be printed in vertical columns, grouped by the  
offices that they seek. * * *In partisan elections, the party  
designation, if any, of each candidate * * *, which may be  
abbreviated, shall be printed following his or her name as  
provided in Section 10 of this act.

One (1) sample ballot, which shall be a facsimile of the  
official ballot and instructions to the voters, shall be provided  
for each precinct and shall be posted in each polling place on  
election day.

A separate ballot security envelope or suitable equivalent in  
which the voter can place his or her ballot after voting, shall be  
provided to conceal the choices the voter has made. Absentee  
voters will receive a similar ballot security envelope provided by  
the county in which the absentee voter will insert their voted  
ballot, which then can be inserted into a return envelope to be  
mailed back to the election official. Absentee ballots will not  
be required to be folded when a ballot security envelope is  
provided.

SECTION 42. Section 23-15-513, Mississippi Code of 1972, is  
amended as follows:
23-15-513. (1) The official ballots, sample ballots and other necessary forms and supplies of the forms and description required by this chapter or required for the conduct of elections with an electronic voting system shall be prepared and furnished by the same official, in the same manner and time, and delivered to the same officials as provided by law with respect to paper ballots that are to be counted manually.

(2) For each * primary preferential * election, the number of official ballots that shall be printed by each executive committee shall be not less than one hundred twenty-five percent (125%) of the highest number of votes cast in a comparable primary election conducted by the same political party in the preceding ten (10) years.

(3) For each general election, the number of official ballots that shall be printed shall be a number equal to not less than sixty percent (60%) of the registered voters eligible to vote in the election.

SECTION 43. Section 23-15-523, Mississippi Code of 1972, is amended as follows:

23-15-523. (1) All proceedings at the counting center shall be under the direction of the election commissioners or officials in charge of the election, and shall be conducted under the observations of the public, but no persons except those authorized for the purpose shall touch any ballot. All persons who are
engaged in processing and counting of the ballots shall take the oath provided in Section 268, Mississippi Constitution of 1890.

(2) The election commissioners or the officials in charge of the election shall appoint qualified electors who have received the training required by subsection (11) of this section to serve as members of the "resolution board." An odd number of not less than three (3) members shall be appointed to the resolution board. The members of the board shall take the oath provided in Section 268, Mississippi Constitution of 1890. All ballots that have been rejected by the OMR equipment and that are damaged or defective, blank or overvoted will be reviewed by the board. Election commissioners, candidates who are on the ballot and the spouse, parents, siblings or children of such a candidate shall not be appointed to the resolution board. In general and special elections, members of the party executive committees shall not be appointed to the resolution board unless members of all of the party executive committees who have a candidate on the ballot are appointed to the resolution board.

(3) (a) If any ballot is damaged or defective so that it cannot be properly counted by the OMR equipment, the ballot will be deposited in an envelope provided for that purpose marked "RESOLUTION BOARD." All such ballots shall be carefully handled so as to avoid altering, removing or adding any mark on the ballot.
(b) The election commissioners or the officials in charge of the election shall have the members of the resolution board ascertain the intent of the voter, if possible, and, if so, manually count any damaged or defective ballots.

(c) The resolution board shall prepare a duplicate to the damaged or defective ballot in the following manner:

(i) The resolution board shall prepare a duplicate to the original damaged or defective ballot marked identically to the original.

(ii) The resolution board shall mark the first original they examine as "Original #1" and the duplicate of this original as "Duplicate #1." Later originals and duplicates shall be likewise marked and numbered consecutively so the duplicate of each original can be identified. Duplicate ballots shall be stamped in a different manner from the original ballots so that they may be easily distinguished from the originals.

(iii) The duplicate ballots prepared pursuant to this paragraph shall be counted by the OMR equipment.

(4) The resolution board shall examine ballots that have been rejected by the OMR equipment for appearing to be "blank" to verify if they are blank or were marked with a "nondetectable" marking device. If it is determined that the ballot was marked with a nondetectable device, the resolution board shall prepare a duplicate to the original blank ballot in the same manner and in accordance with the same process provided in subsection (3)(c).
(5) All ballots that are rejected by the OMR equipment and that contain overvotes shall be inspected by the resolution board. Regarding those rejected ballots upon which an overvote appears, if the voter intent cannot be determined by the resolution board, the officials in charge of the election may use the OMR equipment in determining the vote in the races that are unaffected by the overvote. All other ballots that are overvoted shall be counted manually following the provisions of this section at the direction of the officials in charge of the election. The return printed by the OMR equipment to which have been added the manually tallied ballots, which shall be duly certified by the officials in charge of the election, shall constitute the official return of each voting precinct. Unofficial and incomplete returns may be released during the count. Upon the completion of the counting, the official returns shall be open to the public.

(6) When the resolution board reviews any OMR ballot in which the voter has failed to fill in the arrow, oval, circle or square for a candidate or a ballot measure, the resolution board shall, if the intent of the voter can be ascertained, count the vote if:

(a) The voter marks the ballot with a "cross" (X) or "checkmark" (√) and the lines that form the mark intersect within or on the line of the arrow, oval, circle or square by the ballot measure or the name of the candidate.
(b) The voter blackens the arrow, oval, circle or square adjacent to the ballot measure or the name of the candidate in pencil or ink and the blackened portion extends beyond the boundaries of the arrow, oval, circle or square.

(c) The voter marks the ballot with a "cross" (X) or "checkmark" (√) and the lines that form the mark intersect adjacent to the ballot measure or the name of the candidate.

(d) The voter underlines the ballot measure or the name of a candidate.

(e) The voter draws a line from the arrow, oval, circle or square to a ballot measure or the name of a candidate.

(f) The voter draws a circle or oval around the ballot measure or the name of the candidate.

(g) The voter draws a circle or oval around the arrow, oval, circle or square adjacent to the ballot measure or the name of the candidate.

(7) The resolution board, when inspecting an OMR ballot that contains or appears to contain one or more overvotes, appears to be damaged or defective, or is rejected by the OMR equipment for any reason or cannot be counted by the OMR equipment, shall make its determination in accordance with the following:

(a) When an elector casts more votes for any office or measure than he or she is entitled to cast at an election, all the elector's votes for that office or measure are invalid and the elector is deemed to have voted for none of them. If an elector
casts less votes for any office or measure than he or she is
entitled to cast at an election, all votes cast by the elector
shall be counted but no vote shall be counted more than once.

(b) If an elector casts more than one (1) vote for the
same candidate for the same office, the first vote is valid and
the remaining votes for that candidate are invalid.

(c) No write-in vote for a candidate whose name is
printed on the ballot shall be regarded as invalid due to
misspelling a candidate's name, or by abbreviation, addition or
omission or use of a wrong initial in the name, as long as the
intent of the voter can be ascertained.

(d) In any case where a voter writes in the name of a
candidate for President of the United States whose name is printed
on the general election ballot, the failure by the voter to write
in the name of a candidate for the Office of Vice President of the
United States on the general election ballot does not invalidate
the elector's vote for the slate of electors for any candidate
whose name is written in for the Office of President of the United
States.

(e) For any ballot measure in which the words "for" or
"against" are printed on a ballot, if the voter shall write the
word "for" or the word "against" instead of or in addition to
marking the ballot in accordance with the ballot instruction in
the space adjacent to the preprinted words "for" or "against," the
resolution board shall, in reviewing such ballot, count the vote
in accordance with the voter's handwritten preference, unless the voter marks the ballot in the space adjacent to the preprinted words "for" or "against" contrary to the handwritten preference, in which case no vote shall be recorded for such ballot in regard to the ballot measure.

(f) For any ballot measure in which the words "yes" or "no" are printed on a ballot, if the voter shall write the word "yes" or the word "no" instead of or in addition to marking the ballot in accordance with the ballot instructions in the space adjacent to the preprinted words "yes" or "no," the resolution board shall, in reviewing such ballot, count the vote in accordance with the voter's handwritten preference, unless the voter marks the ballot in the space adjacent to the preprinted words "yes" or "no" contrary to the handwritten preference, in which case no vote shall be recorded for such ballot in regard to the ballot measure.

(8) OMR equipment shall be programmed, calibrated, adjusted and set up to reject ballots that appear to be damaged or defective. Any switch, lever or feature on OMR equipment that enables or permits the OMR equipment to override the rejection of damaged or defective ballots so that such ballots will not be reviewed by the resolution board, shall not be used.

(9) Ballots shall be manually counted by the resolution board only when the ballots are:
(a) Properly before the resolution board due to being rejected by the OMR equipment because the ballots appear to be damaged or defective or are rejected by the OMR equipment for any other reason; or

(b) Properly before the resolution board due to a malfunction in the OMR equipment.

(10) The resolution board shall make and keep a record regarding the handling and counting of all ballots inspected under this section.

(11) The executive committee of each county or municipality, in the case of a * * * primary preferential election, or the election commissioners of each county or municipality, in the case of all other elections, in conjunction with the circuit or municipal clerk respectively, shall sponsor and conduct, a training session for up to two (2) hours, not less than five (5) days before each election, to instruct those qualified electors who are appointed to serve as members of the resolution board as to their specific duties in the election. No member appointed to serve on the resolution board shall serve in any election unless he or she has received such instruction once during the twelve (12) months immediately preceding the date upon which the election is held. Online training courses developed by the Secretary of State, though not sponsored or conducted by the executive committee or the election commissioners, may be used to meet the requirements of this subsection (11).
SECTION 44. Section 23-15-531.6, Mississippi Code of 1972, is amended as follows:

23-15-531.6. (1) For each * * * primary preferential or general election, the officials in charge of the election shall use at least seventy-five percent (75%) of all DRE units available to the county or municipality, as the case may be. For all other elections in which the officials in charge of the election choose to use DRE units, at least one-third (1/3) of all DRE units available to the county or municipality, as the case may be, shall be used in such elections.

(2) The officials in charge of the election shall ensure the delivery of the proper DRE units to the polling places of the respective precincts at least one (1) hour before the time for opening the polls at each election and shall cause each unit to be set up in the proper manner for use in voting.

(3) (a) On or before the second day before any election, the officials in charge of the conduct of the election shall cause each DRE unit to be tested for logic and accuracy to ascertain that the units will correctly count the votes cast for all offices and on all questions, in a manner the Secretary of State may further prescribe by rule or regulation.

(b) Public notice of the time and place of the test shall be made at least five (5) days before the date of the test.

Candidates, representatives of candidates, political parties, news
media and the public shall be permitted to observe the testing of
the DRE units.

(4) The officials in charge of the conduct of the election
shall test all memory cards and encoders to be used in any
election.

(5) The officials in charge of the election shall require
that each DRE unit be inspected and sealed before the delivery of
each DRE unit to the polling place. Before opening the polls each
day on which the DRE units will be used in an election, the poll
manager shall break the seal on each unit, turn on each unit,
certify that each unit is operating properly and is set to zero,
and print a zero tape certifying that each unit is set to zero and
shall keep or record such certification on each unit.

(6) The officials in charge of the election, election
commissioners and poll managers shall provide ample protection
against molestation of and injury to the DRE units, and, for that
purpose, the officials in charge of the election, election
commissioners and poll managers may call upon any law enforcement
officer to furnish any assistance that may be necessary. It shall
be the duty of any law enforcement officer to furnish assistance
when so requested by the officials in charge of the election,
election commissioner or poll manager.

(7) The officials in charge of the election, in conjunction
with the governing authorities, shall, at least one (1) hour
before opening the polls:
(a) Provide sufficient lighting to enable electors to read the ballot and to enable poll managers to examine the booth and conduct their responsibilities;

(b) Provide directions for voting on the DRE units that shall be prominently posted within each voting booth and provide at least one (1) sample ballot for each primary preferential or general election shall be prominently posted outside the enclosed space within the polling place;

(c) Ensure that each DRE unit and its tabulating mechanism is secure throughout the day; and

(d) Provide such other materials and supplies as may be necessary or required by law.

SECTION 45. Section 23-15-557, Mississippi Code of 1972, is amended as follows:

23-15-557. The governing authorities of any municipality within the State of Mississippi are hereby authorized and empowered, in their discretion, to divide the municipality into a sufficient number of voting precincts of such size and location as is necessary, and there shall be the same number of polling places. The authority conducting an election shall not be required, however, to establish a polling place in each of said precincts, but such election authorities, whether in a primary preferential or in a general election, may locate and establish such polling places, without regard to precinct lines, in such manner as in the
discretion of such authority will better accommodate the electorate and better facilitate the holding of the election.

SECTION 46. Section 23-15-561, Mississippi Code of 1972, is amended as follows:

23-15-561. (1) It shall be unlawful during any * * *primary or any other election for any candidate for any elective office or any representative of * * *such the candidate or any other person to publicly or privately put up or in any way offer any prize, cash award or other item of value to be raffled, drawn for, played for or contested for in order to encourage persons to vote or to refrain from voting in any election.

(2) Any person who shall violate the provisions of subsection (1) of this section shall, upon conviction thereof, be punished by a fine in an amount not to exceed Five Thousand Dollars ($5,000.00).

(3) Any candidate who shall violate the provisions of subsection (1) of this section shall, upon conviction thereof, in addition to the fine prescribed above, be punished by:

(a) Disqualification as a candidate in the race for the elective office; or

(b) Removal from the elective office, if the offender has been elected thereto.

SECTION 47. Section 23-15-573, Mississippi Code of 1972, is amended as follows:
23-15-573. (1) If any person declares that he or she is a registered voter in the jurisdiction in which he or she offers to vote and that he or she is eligible to vote in the election, but his or her name does not appear upon the pollbooks, or that he or she is not able to cast a regular election day ballot under a provision of state or federal law but is otherwise qualified to vote, or that he or she has been illegally denied registration, or that he or she is unable to present an acceptable form of photo identification:

(a) A poll manager shall notify the person that he or she may cast an affidavit ballot at the election.

(b) The person shall be permitted to cast an affidavit ballot at the polling place upon execution of a written affidavit before one (1) of the poll managers stating that the individual:

(i) Believes he or she is a registered voter in the jurisdiction in which he or she desires to vote and is eligible to vote in the election; or

(ii) Is not able to cast a regular election day ballot under a provision of state or federal law but is otherwise qualified to vote; or

(iii) Believes that he or she has been illegally denied registration; or

(iv) Is unable to present an acceptable form of photo identification.
(c) The poll manager shall allow the individual to mark a paper ballot properly endorsed by the initialing poll manager or alternate initialing poll manager in accordance with Section 23-15-541, which shall be delivered by him or her to the proper election official who shall enclose it in an affidavit ballot envelope, with the written and signed affidavit of the voter affixed to the envelope, seal the envelope and mark plainly upon it the name of the person offering to vote.

(2) The affidavit ballot envelope shall include:

(a) The complete name of the voter;

(b) A present and previous physical and mailing address of the voter;

(c) Telephone numbers where the voter may be contacted;

(d) A statement that the affiant believes he or she is registered to vote in the jurisdiction in which he or she offers to vote;

(e) The signature of the affiant; and

(f) The signature of the poll manager at the polling place at which the affiant offers to vote.

(3) (a) A separate receipt book shall be maintained for affidavit voters and the affidavit voters shall sign the receipt book upon completing the affidavit ballot.

(b) If the affidavit voter is casting an affidavit ballot because the voter is unable to present an acceptable form of photo identification and the voter's name appears in the
pollbook, then the poll manager shall write "NO ID" across from
the voter's name and in the appropriate column in the pollbook.

(c) In canvassing the returns of the election, the
executive committee in primary elections, or the election
commissioners in other elections, shall examine the records
and allow the ballot to be counted, or not counted as it appears
legal.

(d) An affidavit ballot of a voter who was unable to
present an acceptable form of photo identification shall not be
rejected for this reason if the voter does either of the
following:

(i) Returns to the circuit clerk's office, or to
the municipal clerk's office for municipal elections, within five
(5) business days after the date of the election and presents an
acceptable form of photo identification;

(ii) Returns to the circuit clerk's office within
five (5) business days after the date of the election to obtain
the Mississippi Voter Identification Card, or in municipal
election, returns to the municipal clerk's office within five (5)
business days after the date of the election to present his or her
Mississippi Voter Identification Card or Temporary Mississippi
Voter Identification Card; or

(iii) Returns to the circuit clerk's office, or to
the municipal clerk's office for municipal elections, within five
(5) business days after the date of the election to execute a separate Affidavit of Religious Objection.

(4) When a person is offered the opportunity to vote by affidavit ballot, he or she shall be provided with written information that informs the person how to ascertain whether his or her affidavit ballot was counted and, if the vote was not counted, the reasons the vote was not counted.

(5) The officials in charge of the election shall process all affidavit ballots by using the Statewide Elections Management System. The officials in charge of the election shall account for all affidavit ballots cast in each election, categorizing the affidavit ballots cast by reason and recording the total number of affidavit ballots counted and not counted in each such category in the Statewide Elections Management System.

(6) The Secretary of State shall, by rule duly adopted, establish a uniform affidavit ballot envelope that shall be used in all elections in this state. The Secretary of State shall print and distribute a sufficient number of affidavit ballot envelopes to the registrar of each county for use in elections. The registrar shall distribute the affidavit ballot envelopes to municipal and county executive committees for use in primary elections and to municipal and county election commissioners for use in all other elections.

(7) County registrars and municipal registrars shall maintain a secure free access system that complies with the Help
America Vote Act of 2002, by which persons who vote by affidavit ballot may determine if their ballots were counted, and if not, the reasons the ballot was not counted.

(8) Any person who votes in any election as a result of a federal or state court order or other order extending the time established by law for closing the polls on an election day, may only vote by affidavit ballot. Any affidavit ballot cast under this subsection shall be separated and kept apart from other affidavit ballots cast by voters not affected by the order.

SECTION 48. Section 23-15-593, Mississippi Code of 1972, is amended as follows:

23-15-593. When the ballot box is opened and examined by the county executive committee in the case of a primary election, or county election commissioners in the case of other elections, and it is found that there have been failures in material particulars to comply with the requirements of Section 23-15-591 and Section 23-15-895 to such an extent that it is impossible to arrive at the will of the voters at such precinct, the entire box may be thrown out unless it be made to appear with reasonable certainty that the irregularities were not deliberately permitted or engaged in by the poll managers at that box, or by one (1) of them responsible for the wrong or wrongs, for the purpose of electing or defeating a certain candidate or candidates by manipulating the election or the returns thereof at that box in such manner as to have it thrown out; in which latter
the county executive committee, or the county election commission, as appropriate, shall conduct such hearing and make such determination in respect to the box as may appear lawfully just, subject to a judicial review of the matter as elsewhere provided by this chapter. Or the executive committee, or The election commission, or the court upon review, may order another election to be held at that box appointing new poll managers to hold the same.

SECTION 49. Section 23-15-595, Mississippi Code of 1972, is amended as follows:

23-15-595. The box containing the ballots and other records required by this chapter shall, immediately after the ballots have been counted, be delivered by one (1) of the poll managers to the clerk of the circuit court of the county and the clerk shall, in the presence of the poll manager making delivery of the box, place upon the lock of such box a tamper-evident seal. The seals shall be numbered consecutively to the number of ballot boxes used in the election in the county, and the clerk shall keep in a place separate from such boxes a record of the number of the seal of each separate box in the county. The board of supervisors of the county shall pay the cost of providing the seals. Upon demand of the chair of the county executive committee in the case of primary elections, or the county election commissioner in the case of other elections, the boxes and their contents shall be delivered to the county executive committee, or the county
election commission, as appropriate, and after such committee or
commission, as appropriate, has finished the work of tabulating
returns and counting ballots as required by law, the committee or
commission, as appropriate, a county election commissioner, the
boxes and their contents shall be delivered to the county election
commission, and after the commission has finished the work of
tabulating returns and counting ballots as required by law, the
commission shall return all papers and ballots to the box of the
precinct where the election was held, and it shall make redelivery
of the boxes and their contents to the circuit clerk who shall
reseal the boxes. Upon every occasion the boxes shall be reopened
and each resealing shall be done as provided in this chapter.

SECTION 50. Section 23-15-601, Mississippi Code of 1972, is
amended as follows:

23-15-601. (1) When the result of the election shall have
been ascertained by the poll managers they, or one (1) of their
number, or some fit person designated by them, shall, on the night
of the election, deliver to the election commissioners, at the
courthouse, a statement of the whole number of votes given for
each person and for what office; and the election commissioners
shall, on the first or second day after the preferential election
and after the general election, canvass the returns, ascertain and
declare the result, and * * *, within ten (10) days after the day
of the election, shall deliver a certificate of the election to
the person having the greatest number of votes announce the names
of the candidates who have received a majority of the votes cast
for representative in the Legislature of districts composed of one
(1) county or less, or other county office, board of supervisors,
justice court judge and constable ***. If it appears that two
(2) or more candidates for Representative of the county, or part
of the county, or for any county office, board of supervisors,
justice court judge or constable standing highest on the list, and
not elected, have an equal number of votes, the interested
candidates shall appear before the election commissioners within
two (2) days after the canvass and the tie shall be determined by
a toss of a coin or by lot fairly and publicly drawn, and a
certificate of election shall be given accordingly. The foregoing
provisions shall apply to Senators, if the county be a senatorial
district, and shall also announce the names of those candidates
for the above mentioned offices that are to be submitted to the
general election.

The vote for state and state district offices shall be
tabulated by precincts and certified to and returned to the state
election commissioners, such returns to be mailed by registered
letter or any safe mode of transportation within thirty-six (36)
hours after the returns are canvassed and the results ascertained.
The state election commissioners shall meet a week from the day
following the preferential election held for state and district
offices, and shall proceed to canvass the returns and to declare
the results and announce the names of the candidates for the
different offices who have received a majority of the votes cast
and the names of those candidates whose names are to be submitted
to the general election. The state election commissioners shall
also meet a week from the day on which the general election is
held and receive and canvass the returns for state and district
offices voted on in the general election. An exact and full
duplicate of all tabulations by precincts, as certified under this
section, shall be filed with the circuit clerk of the county who
shall safely preserve the same in his or her office.

(2) The election commissioners shall transmit to the
Secretary of State, on such forms and by such methods as may be
required by rules and regulations promulgated by the Secretary of
State, a statement of the total number of votes cast in the county
for each candidate for each office and the total number of votes
cast for such candidates in each precinct in the district in which
the candidate ran.

SECTION 51. Section 23-15-605, Mississippi Code of 1972, is
amended as follows:

23-15-605. The Secretary of State, immediately after
receiving the returns of * * * an a general election, not longer
than thirty (30) days after the election, shall sum up the whole
number of votes given for each candidate other than candidates for
state offices, legislative offices composed of one (1) county or
less, county offices and county district offices, according to the
statements of the votes certified to him or her and ascertain the
person or persons having the largest number of votes for each office, and declare such person or persons to be duly elected; and thereupon all persons chosen to any office at the election shall be commissioned by the Governor; but if it appears that two (2) or more candidates for any district office where the district is composed of two (2) or more counties, standing highest on the list, and not elected, have an equal number of votes, the election shall be decided between the candidates having an equal number of votes by each candidate individually drawing one (1) of the two (2) sealed containers from an opaque bag, under the direction of the Governor and Secretary of State. The containers shall consist of a straw of conspicuous length, and the candidate drawing the container with the longer of the two (2) straws shall be declared the winner.

SECTION 52. Section 23-15-673, Mississippi Code of 1972, is amended as follows:

23-15-673. (1) For the purposes of this subarticle, the term "absent voter" shall mean and include the following persons if they are absent from their county of residence and are otherwise qualified to vote in Mississippi:

(a) Any enlisted or commissioned members, male or female, of the United States Army, or any of its respective components or various divisions thereof; any enlisted or commissioned members, male or female, of the United States Navy, or any of its respective components or various divisions thereof;
any enlisted or commissioned members, male or female, of the United States Air Force, or any of its respective components or various divisions thereof; any enlisted or commissioned members, male or female, of the United States Marines, or any of its respective components or various divisions thereof; or any persons in any division of the armed services of the United States, who are citizens of Mississippi;

(b) Any member of the Merchant Marine and the American Red Cross who is a citizen of Mississippi;

(c) Any disabled war veteran who is a patient in any hospital and who is a citizen of Mississippi;

(d) Any civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and who is a citizen of Mississippi;

(e) Any trained or certified emergency response provider who is deployed during the time period authorized by law for absentee voting, on election day, or during any state of emergency declared by the President of the United States or any Governor of any state within the United States;

(f) Any citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia;

(g) Any citizen of Mississippi enrolled as a student at the United States Naval Academy, the United States Coast Guard
Academy, the United States Merchant Marine Academy, the United States Air Force Academy or the United States Military Academy.

(2) The spouse and dependents of any absent voter as set out in paragraphs (a) through (g) of subsection (1) of this section shall also be included in the meaning of absent voter and may register to vote and vote an absentee ballot as provided in this subarticle if also absent from the county of their residence on the date of the election and otherwise qualified to vote in Mississippi.

(3) For the purpose of this subarticle, the term "election" shall mean and include the following sets of elections: special and runoff special elections, preferential and general elections, first and second primary elections or general elections without preferential elections, whichever system is applicable.

SECTION 53. Section 23-15-687, Mississippi Code of 1972, is amended as follows:

23-15-687. (1) The registrar shall keep all applications for absentee ballots and shall, within twenty-four (24) hours, if possible, send to the absent voter on whose behalf the application is made, the proper affidavit and the proper ballot or ballots applicable to the elections. Such information shall be processed through the Statewide Election Management System.

(2) One (1) application for an absentee ballot shall serve as a request by the applicant for an absentee ballot for:
(a) The next federal general election, including all preferential primary elections associated with the election;

(b) All state and county preferential primary and general elections that occur after the receipt of the application by the registrar through the date of the next federal general election that occurs after the receipt of the application by the registrar.

(3) The registrar shall preserve all applications for absentee ballots for one (1) year as a record to be furnished to any court or other duly constituted authority for inspection or evidence if properly requested.

(4) If the registrar rejects an application for an absentee ballot or denies a request to register to vote from a uniformed services applicant or an overseas voter, the registrar shall provide the person with the reasons for the rejection.

(5) Any runoff election for a federal election shall be considered a continuation of such federal election.

(6) An absent voter as defined in Section 23-15-673(1) may sign an absentee ballot application by electronic signature. The Secretary of State shall adopt rules necessary to implement this subsection.

SECTION 54. Section 23-15-692, Mississippi Code of 1972, is amended as follows:
23-15-692. (1) An absent voter who resides outside the United States, who is a member of the United States Armed Forces or who is a family member of a member of the Armed Forces, and who is a registered voter of the State of Mississippi, may use the Federal Write-In-Absentee Ballot as provided for by 42 USCS 1973ff-2 in preferential, general, special *, *, *, primary and runoff elections for local, state and federal offices.

(2) Upon receipt of a Federal Write-In-Absentee Ballot executed by a person who is a registered voter or whose information on the form is sufficient to register or update the registration of that person, the Federal Write-In-Absentee Ballot shall be considered as an absentee ballot request. Nothing in this subsection shall suspend the voter registration deadlines otherwise provided by law.

SECTION 55. Section 23-15-713, Mississippi Code of 1972, is amended as follows:

23-15-713. For the purpose of this subarticle, any duly qualified elector may vote as provided in this subarticle if the elector falls within at least one (1) of the following categories:

(a) Any qualified elector who is a bona fide student, teacher or administrator at any college, university, junior college, high, junior high, or elementary grade school whose studies or employment at such institution necessitates his or her absence from the county of his or her voting residence on the date of any *, *, *, primary, general or special election, or the spouse
and dependents of that student, teacher or administrator if such
spouse or dependent(s) maintain a common domicile, outside of the
county of his or her voting residence, with such student, teacher
or administrator.

(b) Any qualified elector who is required to be away from his or her place of residence on any election day due to his or her employment as an employee of a member of the Mississippi congressional delegation and the spouse and dependents of such person if he or she shall be residing with such absentee voter away from the county of the spouse’s voting residence.

(c) Any qualified elector who is away from his or her county of residence on election day for any reason.

(d) Any person who has a temporary or permanent physical disability and who, because of such disability, is unable to vote in person without substantial hardship to himself, herself or others, or whose attendance at the voting place could reasonably cause danger to himself, herself or others. For purposes of this paragraph (d), “temporary physical disability” shall include any qualified elector who is under a physician-imposed quarantine due to COVID-19 during the year 2020 or is caring for a dependent who is under a physician-imposed quarantine due to COVID-19 beginning with July 8, 2020, and the same being repealed on December 31, 2020.
(e) The parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside of his or her county of residence or more than fifty (50) miles distant from his or her residence, if the parent, spouse or dependent will be with such person on election day. For purposes of this paragraph (e), "temporary physical disability" shall include any qualified elector who is under a physician-imposed quarantine due to COVID-19 during the year 2020 or is caring for a dependent who is under a physician-imposed quarantine due to COVID-19 beginning with July 8, 2020, and the same being repealed on December 31, 2020.

(f) Any person who is sixty-five (65) years of age or older.

(g) Any member of the Mississippi congressional delegation absent from Mississippi on election day, and the spouse and dependents of such member of the congressional delegation.

(h) Any qualified elector who will be unable to vote in person because he or she is required to be at work on election day during the times at which the polls will be open.

SECTION 56. Section 23-15-755, Mississippi Code of 1972, is amended as follows:

23-15-755. All of the provisions of Sections 23-15-621 through 23-15-735 shall be applicable, insofar as possible, to municipal, primary preferential, general and special elections, and wherever herein any duty is imposed or any power or
authority is conferred upon the county registrar or county election commissioners, or county executive committee with reference to a state and county election, such duty shall likewise be imposed and such power and authority shall likewise be conferred upon the municipal registrar or municipal election commission or municipal executive committee with reference to any municipal election. Any duty, obligation or responsibility imposed upon the registrar or upon the election commissioners, when applicable, shall likewise be conferred upon and devolved upon the appropriate party, executive committee or officials in any party primary.

SECTION 57. Section 23-15-771, Mississippi Code of 1972, is amended as follows:

23-15-771. At the state convention, a slate of electors composed of the number of electors allotted to this state, which said electors announce a clearly expressed design and purpose to support the candidates for President and Vice President of the national political party with which the said party of this state has had an affiliation and identity of purpose heretofore, shall be designated and selected for a place upon the primary election ballot to be held as herein provided.

SECTION 58. Section 23-15-801, Mississippi Code of 1972, is amended as follows:

23-15-801. (a) "Election" means a general, special, primary preferential or runoff election.
(b) "Candidate" means an individual who seeks nomination for election, or election, to any elective office other than a federal elective office. For purposes of this article, an individual shall be deemed to seek nomination for election, or election:

(i) If the individual has received contributions aggregating in excess of Two Hundred Dollars ($200.00) or has made expenditures aggregating in excess of Two Hundred Dollars ($200.00) or for a candidate for the Legislature or any statewide or state district office, by the qualifying deadlines specified in Sections 23-15-299 8 and 9 of this act and 23-15-977, whichever occurs first; or

(ii) If the individual has given his or her consent to another person to receive contributions or make expenditures on behalf of the individual and if the other person has received contributions aggregating in excess of Two Hundred Dollars ($200.00) during a calendar year, or has made expenditures aggregating in excess of Two Hundred Dollars ($200.00) during a calendar year.

(c) "Political committee" means any committee, party, club, association, political action committee, campaign committee or other groups of persons or affiliated organizations that receives contributions aggregating in excess of Two Hundred Dollars ($200.00) during a calendar year or that makes expenditures aggregating in excess of Two Hundred Dollars ($200.00) during a
calendar year for the purpose of influencing or attempting to
influence the action of voters for or against the *nomination*
for election, or election, of one or more candidates, or balloted
measures. Political committee shall, in addition, include each
political party registered with the Secretary of State.

(d) "Affiliated organization" means any organization that is
not a political committee, but that directly or indirectly
establishes, administers or financially supports a political
committee.

(e) (i) "Contribution" shall include any gift,
subscription, loan, advance or deposit of money or anything of
value made by any person or political committee for the purpose of
influencing any election for elective office or balloted measure;

(ii) "Contribution" shall not include the value of
services provided without compensation by any individual who
volunteers on behalf of a candidate or political committee; or the
cost of any food or beverage for use in any candidate's campaign
or for use by or on behalf of any political committee of a
political party;

(iii) "Contribution to a political party" includes any
gift, subscription, loan, advance or deposit of money or anything
of value made by any person, political committee, or other
organization to a political party and to any committee,
subcommittee, campaign committee, political committee and other
groups of persons and affiliated organizations of the political party;

(iv) "Contribution to a political party" shall not include the value of services provided without compensation by any individual who volunteers on behalf of a political party or a candidate of a political party.

(f) (i) "Expenditure" shall include any purchase, payment, distribution, loan, advance, deposit, gift of money or anything of value, made by any person or political committee for the purpose of influencing any balloted measure or election for elective office; and a written contract, promise, or agreement to make an expenditure;

(ii) "Expenditure" shall not include any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless the facilities are owned or controlled by any political party, political committee, or candidate; or nonpartisan activity designed to encourage individuals to vote or to register to vote;

(iii) "Expenditure by a political party" includes 1. any purchase, payment, distribution, loan, advance, deposit, gift of money or anything of value, made by any political party and by any contractor, subcontractor, agent, and consultant to the political party; and 2. a written contract, promise, or agreement to make such an expenditure.
(g) The term "identification" shall mean:

(i) In the case of any individual, the name, the mailing address, and the occupation of such individual, as well as the name of his or her employer; and

(ii) In the case of any other person, the full name and address of the person.

(h) The term "political party" shall mean an association, committee or organization which nominates a candidate for election to any elective office whose name appears on the election ballot as the candidate of the association, committee or organization.

(i) The term "person" shall mean any individual, family, firm, corporation, partnership, association or other legal entity.

(j) The term "independent expenditure" shall mean an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate that is made without cooperation or consultation with any candidate or any authorized committee or agent of the candidate, and that is not made in concert with or at the request or suggestion of any candidate or any authorized committee or agent of the candidate.

(k) The term "clearly identified" shall mean that:

(i) The name of the candidate involved appears; or

(ii) A photograph or drawing of the candidate appears; or

(iii) The identity of the candidate is apparent by unambiguous reference.
SECTION 59. Section 23-15-807, Mississippi Code of 1972, is amended as follows:

23-15-807. (a) Each candidate or political committee shall file reports of contributions and disbursements in accordance with the provisions of this section. All candidates or political committees required to report such contributions and disbursements may terminate the obligation to report only upon submitting a final report that contributions will no longer be received or disbursements made and that the candidate or committee has no outstanding debts or obligations. The candidate, treasurer or chief executive officer shall sign the report.

(b) Candidates seeking election * * *, or nomination for election, and political committees making expenditures to influence or attempt to influence voters for or against the nomination for election of one or more candidates or balloted measures at such election, shall file the following reports:

(i) In any calendar year during which there is a regularly scheduled election, a pre-election report shall be filed no later than the seventh day before any election in which the candidate or political committee has accepted contributions or made expenditures and shall be completed as of the tenth day before the election;

(ii) In 1987 and every fourth year thereafter, periodic reports shall be filed no later than the tenth day after April 30,
May 31, June 30, September 30 and December 31, and shall be completed as of the last day of each period;

(iii) In any calendar years except 1987 and except every fourth year thereafter, a report covering the calendar year shall be filed no later than January 31 of the following calendar year; and

(iv) Except as otherwise provided in the requirements of paragraph (i) of this subsection (b), unopposed candidates are not required to file pre-election reports but must file all other reports required by paragraphs (ii) and (iii) of this subsection (b).

(c) All candidates for judicial office as defined in Section 23-15-975, or their political committees, shall file periodic reports in the year in which they are to be elected no later than the tenth day after April 30, May 31, June 30, September 30 and December 31.

(d) Each report under this article shall disclose:

(i) For the reporting period and the calendar year, the total amount of all contributions and the total amount of all expenditures of the candidate or reporting committee, including those required to be identified pursuant to paragraph (ii) of this subsection (d) as well as the total of all other contributions and expenditures during the calendar year. The reports shall be cumulative during the calendar year to which they relate;

(ii) The identification of:
1. Each person or political committee who makes a contribution to the reporting candidate or political committee during the reporting period, whose contribution or contributions within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars ($200.00) when made to a political committee or to a candidate for an office other than statewide office or office elected by Supreme Court district, or in excess of Five Hundred Dollars ($500.00) when made to a candidate for statewide office or office elected by Supreme Court district, together with the date and amount of any such contribution;

2. Each person or organization, candidate or political committee who receives an expenditure, payment or other transfer from the reporting candidate, political committee or its agent, employee, designee, contractor, consultant or other person or persons acting in its behalf during the reporting period when the expenditure, payment or other transfer to the person, organization, candidate or political committee within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars ($200.00) when received from a political committee or candidate for an office other than statewide office or office elected by Supreme Court district, or in excess of Five Hundred Dollars ($500.00) when received from a candidate for statewide office or office elected by Supreme Court district, together with the date and amount of the expenditure;
(iii) The total amount of cash on hand of each reporting candidate and reporting political committee;

(iv) In addition to the contents of reports specified in paragraphs (i), (ii) and (iii) of this subsection (d), each political party shall disclose:

1. Each person or political committee who makes a contribution to a political party during the reporting period and whose contribution or contributions to a political party within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars ($200.00), together with the date and amount of the contribution;

2. Each person or organization who receives an expenditure or expenditures by a political party during the reporting period when the expenditure or expenditures to the person or organization within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars ($200.00), together with the date and amount of the expenditure;

(v) Disclosure required under this section of an expenditure to a credit card issuer, financial institution or business allowing payments and money transfers to be made over the Internet must include, by way of detail or separate entry, the amount of funds passing to each person, business entity or organization receiving funds from the expenditure.

(e) The appropriate office specified in Section 23-15-805 must be in actual receipt of the reports specified in this article.
by 5:00 p.m. on the dates specified in subsection (b) of this section. If the date specified in subsection (b) of this section shall fall on a weekend or legal holiday then the report shall be due in the appropriate office at 5:00 p.m. on the first working day before the date specified in subsection (b) of this section. The reporting candidate or reporting political committee shall ensure that the reports are delivered to the appropriate office by the filing deadline. The Secretary of State may approve specific means of electronic transmission of completed campaign finance disclosure reports, which may include, but not be limited to, transmission by electronic facsimile (FAX) devices.

(f) (i) If any contribution of more than Two Hundred Dollars ($200.00) is received by a candidate or candidate's political committee after the tenth day, but more than forty-eight (48) hours before 12:01 a.m. of the day of the election, the candidate or political committee shall notify the appropriate office designated in Section 23-15-805, within forty-eight (48) hours of receipt of the contribution. The notification shall include:

1. The name of the receiving candidate;
2. The name of the receiving candidate's political committee, if any;
3. The office sought by the candidate;
4. The identification of the contributor;
5. The date of receipt;
6. The amount of the contribution;
7. If the contribution is in-kind, a description of the in-kind contribution; and
8. The signature of the candidate or the treasurer or chair of the candidate's political organization.

(ii) The notification shall be in writing, and may be transmitted by overnight mail, courier service, or other reliable means, including electronic facsimile (FAX), but the candidate or candidate's committee shall ensure that the notification shall in fact be received in the appropriate office designated in Section 23-15-805 within forty-eight (48) hours of the contribution.

SECTION 60. Section 23-15-811, Mississippi Code of 1972, is amended as follows:

23-15-811. (a) Any candidate or any other person who willfully violates the provisions and prohibitions of this article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine in a sum not to exceed Three Thousand Dollars ($3,000.00) or imprisoned for not longer than six (6) months or by both fine and imprisonment.

(b) In addition to the penalties provided in subsection (a) of this section and Chapter 13, Title 97, Mississippi Code of 1972, any candidate or political committee which is required to file a statement or report and fails to file the statement or report on the date it is due may be compelled to file the
statement or report by an action in the nature of a mandamus brought by the Mississippi Ethics Commission.

(c) No candidate shall be certified as nominated for election or as elected to office until he or she files all reports required by this article that are due as of the date of certification.

(d) No candidate who is elected to office shall receive any salary or other remuneration for the office until he or she files all reports required by this article that are due as of the date the salary or remuneration is payable.

(e) In the event that a candidate fails to timely file any report required pursuant to this article but subsequently files a report or reports containing all of the information required to be reported, the candidate shall not be subject to the sanctions of subsections (c) and (d) of this section.

SECTION 61. Section 23-15-833, Mississippi Code of 1972, is amended as follows:

23-15-833. Except as otherwise provided by law, the first Tuesday after the first Monday in November of each year shall be designated the regular special election day, and on that day an election shall be held to fill any vacancy in county, county district, and district attorney elective offices, and any vacancy in the office of circuit judge or chancellor.

All special elections, or elections to fill vacancies, shall in all respects be held, conducted and returned in the same manner
as general elections, except that where no candidate receives a majority of the votes cast in the election, a runoff election shall be held three (3) weeks after the election. The two (2) candidates who receive the highest popular votes for the office shall have their names submitted as the candidates to the runoff and the candidate who leads in the runoff election shall be elected to the office. When there is a tie in the first election of those receiving the next highest vote, these two (2) and the one receiving the highest vote, none having received a majority, shall go into the runoff election and whoever leads in the runoff election shall be entitled to the office.

In those years when the regular special election day shall occur on the same day as the general election, the names of candidates in any special election and the general election shall be placed on the same ballot, but shall be clearly distinguished as general election candidates or special election candidates. * * * At any time a special election is held on the same day as a party primary election, the names of the candidates in the special election may be placed on the same ballot, but shall be clearly distinguished as special election candidates or primary election candidates.

SECTION 62. Section 23-15-859, Mississippi Code of 1972, is amended as follows:

23-15-859. Whenever under any statute a special election is required or authorized to be held in any municipality, and the
statute authorizing or requiring the election does not specify the
time within which the election shall be called, or the notice
which shall be given, the governing authorities of the
municipality shall, by resolution, fix a date upon which the
election shall be held. The date shall not be less than
twenty-one (21) nor more than thirty (30) days after the date upon
which such resolution is adopted, and not less than three (3)
weeks' notice of the election shall be given by the clerk by a
notice published in a newspaper published in the municipality once
each week for three (3) weeks next preceding the date of the
election, and by posting a copy of the notice at three (3) public
places in the municipality. Nothing herein, however, shall be
applicable to elections on the question of the issuance of the
bonds of a municipality or to general or * * * primary preferential
elections for the election of municipal officers.

The provisions of this section shall be applicable to all
municipalities of this state, whether operating under a code
charter, special charter or the commission form of government,
except in cases of conflicts between the provisions of the section
and the provisions of the special charter of a municipality, or
the law governing the commission form of government, in which
cases of conflict the provisions of the special charter or the
statutes relative to the commission form of government shall
apply.
SECTION 63. Section 23-15-873, Mississippi Code of 1972, is amended as follows:

23-15-873. (1) No person, whether an officer or not, shall, in order to promote his or her own candidacy, or that of any other person, to be a candidate for public office in this state, directly or indirectly, himself, or herself or through another person, promise to appoint, or promise to secure or assist in securing the appointment, nomination or election of another person to any public position or employment, or to secure or assist in securing any public contract or the employment of any person under any public contractor, or to secure or assist in securing the expenditure of any public funds in the personal behalf of any particular person or group of persons, except that the candidate may publicly announce what is his or her choice or purpose in relation to an election in which he or she may be called on to take part if elected.

(2) It shall be unlawful for any person to directly or indirectly solicit or receive any promise by this section prohibited, but this does not apply to any person when it comes to their office force.

(3) Any violation of this section shall constitute a violation of Section 97-13-37 and shall be referred to the district attorney for prosecution.

SECTION 64. Section 23-15-881, Mississippi Code of 1972, is amended as follows:
23-15-881. It shall be unlawful for the Mississippi Transportation Commission or any member of the Mississippi Transportation Commission, or the board of supervisors of any county or any member of the board of supervisors of such county, to employ, during the months of May, June, July and August, September, October and November of any year in which a general primary election is held for the nomination and election of members of the Mississippi Transportation Commission and members of the boards of supervisors, a greater number of persons to work and maintain the state highways, in any highway district, or the public roads, in any supervisors district of the county, as the case may be, than the average number of persons employed for similar purposes in such highway district or supervisors district, as the case may be, during the months of May, June, July and August, September, October and November of the three (3) years immediately preceding the year in which such general primary election is held. It shall be unlawful for the Mississippi Transportation Commission, or the board of supervisors of any county, to expend out of the state highway funds, or the road funds of the county or any supervisors district thereof, as the case may be, in the payment of wages or other compensation for labor performed in working and maintaining the highways of any highway district, or the public roads of any supervisors district of the county, as the case may be, during the months of May, June, July and August, September, October and November of the three (3) years immediately preceding the year in which such general primary election is held.
November of such election year, a total amount in excess of the average total amount expended for such labor, in such highway district or supervisors district, as the case may be, during the corresponding four-month period of the three (3) years immediately preceding.

It shall be the duty of the Mississippi Transportation Commission and the board of supervisors of each county, respectively, to keep sufficient records of the numbers of employees and expenditures made for labor on the state highways of each highway district, and the public roads of each supervisors district, for the months of May, June, July and August, September, October and November of each year, to show the number of persons employed for such work in each highway district and each supervisors district, as the case may be, during said four-month period, and the total amount expended in the payment of salaries and other compensation to such employees, so that it may be ascertained, from an examination of such records, whether or not the provisions of this chapter have been violated.

SECTION 65. Section 23-15-885, Mississippi Code of 1972, is amended as follows:

23-15-885. The restrictions imposed in Sections 23-15-881 and 23-15-883 shall likewise apply to the mayor and board of aldermen, or other governing authority, of each municipality, in the employment of labor for working and maintaining the streets of the municipality during the four-month period next preceding the
date of holding the general * * * primary election in such
municipality for the election of municipal officers.

SECTION 66. Section 23-15-891, Mississippi Code of 1972, is
amended as follows:

23-15-891. No common carrier, Internet service provider or
telephone company shall give to any candidate, or to any member of
any political committee, or to any person to be used to aid or
promote the success or defeat of any candidate for election for
any public office, free transportation or Internet service or
telephone service, as the case may be, or any reduction thereof
that is not made alike to all other persons. All persons required
by the provisions of this chapter to make and file statements
shall make oath that they have not received or made use of,
directly or indirectly, in connection with any candidacy
for * * * nomination election to any public office, free
transportation or Internet or telephone service.

SECTION 67. Section 23-15-911, Mississippi Code of 1972, is
amended as follows:

23-15-911. (1) (a) When the returns for a box and the
contents of the ballot box and the conduct of the election have
been canvassed and reviewed by the county election
commission * * * in the case of general elections or the county
executive committee in the case of primary elections, all the
contents of the box required to be placed and sealed in the ballot
box by the poll managers shall be replaced therein by the election
commission or executive committee, as the case may be, and the box shall be forthwith resealed and delivered to the circuit clerk, who shall safely keep and secure the same against any tampering. At any time within twelve (12) days after the canvass and examination of the box and its contents by the election commission or executive committee, as the case may be, any candidate or his or her representative authorized in writing by him or her shall have the right of full examination of the box and its contents upon three (3) days' notice of his or her application therefor served upon the opposing candidates. The service of notice shall be provided to each opposing candidate by delivering a copy personally to each candidate, or by performing two (2) of the following:

(i) By leaving a copy at each candidate's usual place of residence with a family member, who shall be no less than sixteen (16) years of age and, who resides in the candidate's residence;

(ii) By email or other electronic means, with receipt deemed upon transmission; or

(iii) By mailing a copy of the notice by registered or certified mail that is addressed to each opposing candidate at that candidate's residence with receipt deemed mailing.

(b) If service of notice cannot be made to any opposing candidate, then notice may be posted on the door of each
candidate's usual place of abode. If any candidate's usual place of residence is a multi-family dwelling, a copy of the notice must be mailed to the candidate or candidates by United States first-class mail, postage prepaid, return receipt requested. Proof of service of notice upon any opposing candidate shall be made to the circuit clerk within three (3) days before a full examination of the ballot box may be conducted.

(c) The examination shall be conducted in the presence of the circuit clerk or his or her deputy who shall be charged with the duty to see that none of the contents of the box are removed from the presence of the clerk or in any way tampered with. Upon the completion of the examination the box shall be resealed with all its original contents inside. And if any contest or complaint before the court shall arise over the box, it shall be kept intact and sealed until the court hearing and another ballot box, if necessary, shall be furnished for the precinct involved.

(2) The provisions of this section allowing the examination of ballot boxes shall apply in the case of an election contest regarding the seat of a member of the state Legislature. In such a case, the results of the examination shall be reported by the applicable circuit clerk to the Clerk of the House of Representatives or the Secretary of the Senate, as the case may be.
SECTION 68. Section 23-15-951, Mississippi Code of 1972, is amended as follows:

23-15-951. Except as otherwise provided by Section 23-15-955 or 23-15-961, a person desiring to contest the election of another person returned as elected to any office within any county, may, within twenty (20) days after the election, file a petition in the office of the clerk of the circuit court of the county, setting forth the grounds upon which the election is contested. When such a petition is filed, the circuit clerk shall immediately notify, by registered letter, telegraph, telephone, or personally the Chief Justice of the Supreme Court or in his or her absence, or disability, some other Justice of the Supreme Court, who shall forthwith designate and notify a circuit judge or chancellor of a district other than that which embraces the district, subdistrict, county or any of the counties, involved in the contest or complaint, to proceed to the county in which the contest or complaint has been filed to hear and determine the contest or complaint. The circuit clerk shall also cause a copy of the petition to be served upon the contestee, which shall serve as notice to such the contestee.

The Supreme Court shall compile a list of judges throughout the state to hear the disputes before an election. It shall be the official duty of the designated circuit judge or chancellor to proceed to discharge the duty of hearing the contest at the earliest possible date. The date of the contest shall be
fixed by the judge or chancellor, and the judge or chancellor
shall provide reasonable notice to the contestant and the
contestee of the date and time fixed for the contest. The judge
or chancellor shall cause the contestant and contestee to be
served in a reasonable manner. When the contestee is served, such
contestee shall promptly file his or her answer, and
cross-complaint, if the contestee has a cross-complaint.
The court shall, at the first term, cause an issue to be made
up and tried by a jury, and the verdict of the jury shall find the
person having the greatest number of legal votes at the election.
If the jury shall find against the person returned elected, the
clerk shall issue a certificate thereof; and the person in whose
favor the jury shall find shall be commissioned by the Governor,
and shall qualify and enter upon the duties of his or her office.
Each party shall be allowed ten (10) peremptory challenges, and
new trials shall be granted and costs awarded as in other cases.
In case the election of district attorney or other state district
election be contested, the petition may be filed in any county of
the district or in any county of an adjoining district within
twenty (20) days after the election, and like proceedings shall be
had thereon as in the case of county officers, and the person
found to be entitled to the office shall qualify as required by
law and enter upon the duties of his or her office.
A person desiring to contest the election of another person
returned as elected to any seat in the Mississippi Legislature
shall comply with the provisions of Section 23-15-955. A person desiring to contest the qualifications of a candidate nomination in a political party primary election in a preferential election shall comply with the provisions of Section 23-15-961.

SECTION 69. Section 23-15-961, Mississippi Code of 1972, is amended as follows:

23-15-961. (1) Any person desiring to contest the qualifications of another person as a candidate nomination in a political party primary election for office in a preferential election shall file a petition specifically setting forth the grounds of the challenge within ten (10) days after the qualifying deadline for the office in question. The petition shall be filed with the proper executive committee with whom the candidate in question qualified or with the proper election commission with whom the candidate in question qualified if the candidate is not affiliated with a political party.

(2) Within ten (10) days of receipt of the petition described in subsection (1) of this section, the appropriate executive committee or election commission shall meet and rule upon the petition. At least two (2) days before the hearing to consider the petition, the appropriate executive committee or election commission shall give notice to both the petitioner and the contested candidate of the time and place of the hearing on the petition. Each party shall be given an opportunity to be
heard at that meeting and present evidence in support of his or her position.

(3) If the appropriate executive committee or election commission fails to rule upon the petition within the time required in subsection (2) of this section, that inaction shall be interpreted as a denial of the request for relief contained in the petition.

(4) Any party aggrieved by the action or inaction of the appropriate executive committee or election commission may file a petition for judicial review to the circuit court of the county in which the executive committee or election commission whose decision is being reviewed sits. The petition must be filed no later than fifteen (15) days after the date the petition was originally filed with the appropriate executive committee or election commission. The person filing for judicial review shall give a cost bond in the sum of Three Hundred Dollars ($300.00) with two (2) or more sufficient sureties conditioned to pay all costs in case his or her petition be dismissed, and an additional bond may be required, by the court, if necessary, at any subsequent stage of the proceedings.

(5) Upon the filing of the petition and bond, the circuit clerk shall immediately, by registered letter or by telegraph or by telephone, or personally, notify the Chief Justice of the Supreme Court, or in his or her absence, or disability, some other judge of the Supreme Court, who shall forthwith designate and
notify a circuit judge or retired judge on senior status of a
district other than that which embraces the district, subdistrict,
county or any of the counties, involved in the contest or
complaint, to proceed to the county in which the contest or
complaint has been filed to hear and determine the contest or
complaint. It shall be the official duty of the trial judge to
proceed to the discharge of the designated duty at the earliest
possible date to be fixed by the judge and of which the contestant
and contestee shall have reasonable notice. The contestant and
contestee are to be served in a reasonable manner as the judge may
direct, in response to which notice the contestee shall promptly
file his or her answer, and also his or her cross-complaint
if * he has a cross-complaint exists. The hearing before the
trial court shall be de novo. The matter shall be tried to the
trial judge, without a jury. After hearing the evidence, the
trial judge shall determine whether the candidate whose
qualifications have been challenged is legally qualified to have
his or her name placed upon the ballot in question. The trial
judge may, upon disqualification of any such candidate, order that
such candidate shall bear the court costs of the proceedings.

(6) Within three (3) days after judgment is rendered by the
circuit court, the contestant or contestee, or both, may file an
appeal in the Supreme Court upon giving a cost bond in the sum of
Three Hundred Dollars ($300.00), together with a bill of
exceptions which shall state the point or points of law at issue
with a sufficient synopsis of the facts to fully disclose the bearing and relevancy of such points of law. The bill of exceptions shall be signed by the trial judge, or in case of his or her absence, refusal or disability, by two (2) disinterested attorneys, as is provided by law in other cases of bills of exception. The filing of such appeals shall automatically suspend the decision of the circuit court and the appropriate executive committee or election commission is entitled to proceed based upon their decision * * * unless and until the Supreme Court, in its discretion, stays further proceedings in the matter. The appeal shall be immediately docketed in the Supreme Court and referred to the court en banc upon briefs without oral argument unless the court shall call for oral argument, and shall be decided at the earliest possible date, as a preference case over all others. The Supreme Court shall have the authority to grant such relief as is appropriate under the circumstances.

(7) The procedure set forth in this section shall be the * * * sole and only manner in which the qualifications of a candidate seeking public office * * * as a party nominee in a preferential election may be challenged * * * prior to before the time * * * of his nomination or election the candidate's name is placed on the general election ballot. After a * * * party nominee candidate in a preferential election has been elected to public office, the election may be challenged as otherwise provided by law. After a * * * party nominee candidate in a preferential
election assumes an elective office, his or her qualifications to hold that office may be contested as otherwise provided by law.

SECTION 70. Section 23-15-963, Mississippi Code of 1972, is amended as follows:

23-15-963. (1) Any person desiring to contest the qualifications of another person who has qualified pursuant to * * * the provisions of Section 23-15-359, Mississippi Code of 1972, Sections 8 and 9 of this act as a candidate for any office elected at a general election, shall file a petition specifically setting forth the grounds of the challenge not later than thirty-one (31) days after the date of the * * * first primary preferential election set forth in Section * * * 23-15-191, Mississippi Code of 1972 2 of this act. Such petition shall be filed with the same body with whom the candidate in question qualified pursuant to * * * Section 23-15-359, Mississippi Code of 1972 Sections 8 and 9 of this act.

(2) Any person desiring to contest the qualifications of another person who has qualified pursuant to the provisions of Section 23-15-213 * * *, Mississippi Code of 1972, as a candidate for county election commissioner elected at a general election, shall file a petition specifically setting forth the grounds of the challenge no later than sixty (60) days * * * prior to before the general election. * * * Such The petition shall be filed with the county board of supervisors, being the same body with whom the

(3) Any person desiring to contest the qualifications of another person who has qualified pursuant to the provisions of Section 23-15-361, Mississippi Code of 1972, as a candidate for municipal office elected on the date designated by law for regular municipal elections, shall file a petition specifically setting forth the grounds of the challenge no later than thirty-one (31) days after the date of the first primary preferential election set forth in Section 23-15-309, Mississippi Code of 1972 of this act.

Such petition shall be filed with the municipal election commissioners of election, being the same body with whom the candidate in question qualified pursuant to Section 23-15-361, Mississippi Code of 1972 of this act.

(4) Within ten (10) days of receipt of the petition described in subsections (1), (2) and (3) of this section, the appropriate election officials shall meet and rule upon the petition. At least two (2) days before the hearing to consider the petition, the appropriate election officials shall give notice to both the petitioner and the contested candidate of the time and place of the hearing on the petition. Each party shall be given an opportunity to be heard at such the meeting and present evidence in support of his or her position.
(5) If the appropriate election officials fail to rule upon the petition within the time required above, such inaction shall be interpreted as a denial of the request for relief contained in the petition.

(6) Any party aggrieved by the action or inaction of the appropriate election officials may file a petition for judicial review to the circuit court of the county in which the election officials whose decision is being reviewed sits. The petition must be filed no later than fifteen (15) days after the date the petition was originally filed with the appropriate election officials. Such person filing for judicial review shall give a cost bond in the sum of Three Hundred Dollars ($300.00) with two (2) or more sufficient sureties conditioned to pay all costs in case his or her petition be dismissed, and an additional bond may be required, by the court, if necessary, at any subsequent stage of the proceedings.

(7) The circuit court with whom such a petition for judicial review has been filed shall at the earliest possible date set the matter for hearing. Notice shall be given to the interested parties of the time set for hearing by the circuit clerk. The hearing before the circuit court shall be de novo. The matter shall be tried to the circuit judge, without a jury. After hearing the evidence, the circuit judge shall determine whether the candidate whose qualifications have been challenged is legally qualified to have his or her name placed upon the ballot.
in question. The circuit judge may, upon disqualification of any such candidate, order that such candidate shall bear the court costs of the proceedings.

(8) Within three (3) days after judgment is rendered by the circuit court, the contestant or contestee, or both, may file an appeal in the Supreme Court upon giving a cost bond in the sum of Three Hundred Dollars ($300.00), together with a bill of exceptions which shall state the point or points of law at issue with a sufficient synopsis of the facts to fully disclose the bearing and relevancy of such points of law. The bill of exceptions shall be signed by the trial judge, or in case of his or her absence, refusal or disability, by two (2) disinterested attorneys, as is provided by law in other cases of bills of exception. The filing of such appeals shall automatically suspend the decision of the circuit court and the appropriate election officials are entitled to proceed based upon their decision * * * unless and until the Supreme Court, in its discretion, stays further proceedings in the matter. The appeal shall be immediately docketed in the Supreme Court and referred to the court en banc upon briefs without oral argument unless the court shall call for oral argument, and shall be decided at the earliest possible date, as a preference case over all others. The Supreme Court shall have the authority to grant such relief as is appropriate under the circumstances.
The procedure set forth above shall be the sole and only manner in which the qualifications of a candidate seeking public office who qualified pursuant to the provisions of Sections 23-15-359, 8, 9 and 11 of this act and Section 23-15-213, 23-15-361, Mississippi Code of 1972, may be challenged prior to the time of his or her election. After any such person has been elected to public office, the election may be challenged as otherwise provided by law. After any person assumes an elective office, his or her qualifications to hold that office may be contested as otherwise provided by law.

SECTION 71. Section 23-15-1065, Mississippi Code of 1972, is amended as follows:

23-15-1065. A person shall be barred from participating in any primary election held by a political party if that person claims or represents himself or herself in any manner to be a member of any state, district or county executive committee of any political party in this state, or claims to be the national committeeman or national committeewoman or any other officer or representative of the political party without having been lawfully elected or chosen as such in the manner provided by the laws of this state, or by the political party in the manner provided by the laws of this state, or claims to be the nominee of any political party authorized by the laws of this state to hold primary elections and choose party nominees, when in fact such person has not been declared the nominee of such political party.
for such office by such political party operating under the laws
of this state. Any person or persons who violate the provisions
of this section, in addition to other measures or penalties
provided by law, may be enjoined therefrom upon application to the
courts by any person or persons, or any political party, official
or representative of the political party aggrieved.

SECTION 72. Section 23-15-1081, Mississippi Code of 1972, is
amended as follows:

23-15-1081. A presidential preference primary or
presidential preferential election may be held on the second
Tuesday in March of each year in which a President of the United
States is to be elected. Each political party which has cast for
its candidates for President and Vice President in the previous
presidential election more than twenty percent (20%) of the total
vote cast for President and Vice President in the state, may
conduct a presidential preference primary. No elector shall vote
in the primary of more than one (1) political party in the same
presidential preference primary.

SECTION 73. Section 23-15-1085, Mississippi Code of 1972, is
amended as follows:

23-15-1085. The * * *chairman chair of a party's state
executive committee shall notify the Secretary of State if the
party intends to hold a presidential preference primary or
presidential preferential election. The Secretary of State shall
be notified * * *prior to before December 1 of the year preceding
the year in which a presidential preference primary or
presidential preferential election may be held pursuant to Section
23-15-1081. * * * Upon such notification, the Secretary of State
shall issue a proclamation setting every party's congressional and
senatorial primary elections that are to be held in the year in
which the presidential preference primary is to be held on the
date provided for in Section 23-15-1083. Once the Secretary of
State has issued a proclamation pursuant to this section, the date
of the congressional and senatorial primary elections shall not be
changed.

SECTION 74. Section 23-15-1087, Mississippi Code of 1972, is
amended as follows:

23-15-1087. Except as otherwise provided in this chapter,
the laws regulating * * * primary and general elections shall, in
so far as practical, apply to and govern presidential preference
primary elections or presidential preferential elections.

SECTION 75. Section 23-15-1089, Mississippi Code of 1972, is
amended as follows:

23-15-1089. The Secretary of State shall place the name of a
candidate upon the presidential preference primary ballot or the
presidential preference election ballot when the Secretary of
State shall have determined that such a candidate is qualified
under Section 23-15-1093.

On or after January 15 immediately preceding a presidential
preference primary election or presidential preferential election
the Secretary of State shall publicly announce and distribute to the news media for publication a list of the candidates he or she intends to place on the ballot at the following presidential preference primary election or presidential preferential election. Following this announcement he or she shall not add candidates to his the selection, and he or she shall not delete any candidate whose name appears on the announced list, unless the candidate dies or has withdrawn as a candidate as provided in this chapter.

SECTION 76. Section 23-15-1091, Mississippi Code of 1972, is amended as follows:

23-15-1091. When the Secretary of State places the name of a candidate on the ballot pursuant to Section 23-15-1093, he or she shall notify the candidate that his or her name will appear on the ballot of this state in the presidential preference primary election or the presidential preferential election. The secretary shall also notify the candidate that he or she may withdraw his or her name from the ballot by filing with the Secretary of State an affidavit pursuant to Section 23-15-1095 no later than the sixtieth day before that election.

SECTION 77. Section 23-15-1093, Mississippi Code of 1972, is amended as follows:

23-15-1093. (1) Any person desiring to have his or her name placed on the presidential preference primary ballot or presidential preferential election ballot shall pay a qualifying
fee and file the petition or petitions as described in this section.

(2) The amount of the qualifying fee shall be Two Thousand Five Hundred Dollars ($2,500.00). Each independent candidate shall pay the qualifying fee to the Secretary of State. Each political party candidate shall pay the qualifying fee to the state executive committee of the appropriate political party.

(3) A candidate shall file a petition or petitions in support of his or her candidacy with the state executive committee of the appropriate political party or the Secretary of State, whichever is applicable, after January 1 of the year in which the presidential preference primary or presidential preferential election is to be held and before January 15 of that same year. To comply with this section, a candidate may file a petition or petitions signed by a total of not less than five hundred (500) qualified electors of the state, or petitions signed by not less than one hundred (100) qualified electors of each congressional district of the state, in which case there shall be a separate petition for each congressional district. The petitions shall be in such form as prescribed by the state executive committee or Secretary of State, whichever is applicable; provided, that there shall be a space for the county of residence of each signer next to the space provided for his or her signature. No signature may be counted as valid unless the county of residence of the signer is provided. Each petition shall contain an affirmation under the
penalties of perjury that each signer is a qualified elector in
his or her congressional district or in the state, as appropriate.

SECTION 78. Section 23-15-1095, Mississippi Code of 1972, is
amended as follows:

23-15-1095. A candidate's name shall be printed on the
appropriate primary or preferential election ballot unless he or
she submits to the Secretary of State before the printing of the
official sample ballot, an affidavit stating without qualification
that he or she is not now and does not presently intend to become
a candidate for the Office of President of the United States at
the upcoming nominating convention of his or her political party
or at the upcoming preferential election. If a candidate
withdraws pursuant to this section, the Secretary of State shall
notify the state executive committee of the political party of
such candidate or the appropriate election commission if such
candidate is not affiliated with a political party that the
candidate's name will not be placed on the ballot.

SECTION 79. Section 23-15-1097, Mississippi Code of 1972, is
amended as follows:

23-15-1097. All expenses of the presidential preference
primary election or presidential preferential election, which are
authorized expenses, as provided by statute relating to primary,
preferential or general elections, shall be paid in the same
manner as provided by law. Compensation of election officials
shall be limited to that which is authorized by statute.
SECTION 80. Section 25-4-3, Mississippi Code of 1972, is amended as follows:

25-4-3. As used in this chapter, unless the context requires otherwise:

(a) "Advisory boards or commissions" means committees created solely to provide technical or professional knowledge or expertise to a parent organization, and whose members exercise no direct authority to expend public funds other than reimbursement for personal expenses incurred as a result of a member's service on the advisory board;

(b) "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, holding company, self-employed individual, joint-stock company, receivership, trust or other legal entity or undertaking organized for economic gain or a nonprofit corporation or other such entity, association or organization receiving public funds;

(c) "Candidate for public office" means an individual who has filed the necessary documents or papers to appear as a candidate for nomination for election or election to any elective office existing under the laws of the State of Mississippi, including primary, preferential, special or general elections. The term "candidate" does not include any person within the meaning of Section 301(b) of the Federal Election Campaign Act of 1971;
(d) "Commission" means the Mississippi Ethics Commission;

(e) "Compensation" means money or thing of value received, or to be received, from any person for services rendered or to be rendered;

(f) "Household member" means:
   (i) The spouse of the public servant; or
   (ii) Any person over the age of twenty-one (21) who resided in the public servant's household during the entire reporting period.

(g) "Income" means money or thing of value received, or to be received, from any source, including, but not limited to, any salary, wage, advance, payment, dividend, interest, rent, forgiveness of debt, fee, royalty or any combination thereof;

(h) "Person" means any individual, firm, business, corporation, association, partnership, union or other legal entity;

(i) "Public employee" means any individual who receives a salary, per diem or expenses paid in whole or in part out of funds authorized to be expended by the Mississippi State Legislature or by the governing body of any political subdivision thereof, or any other body politic within the State of Mississippi;

(j) "Public funds" means all monies, whether federal, state, district or local;
(k) "Public official" means:

(i) Any elected official of the State of Mississippi or any political subdivision thereof or any other body politic within the State of Mississippi; or

(ii) Any member, officer, director, commissioner, supervisor, chief, head, agent or employee of the State of Mississippi, or any agency thereof, of any political subdivision of the State of Mississippi, of any body politic within the State of Mississippi, or of any public entity created by or under the laws of the State of Mississippi or by executive order of the Governor of the state, any of which is funded by public funds or which expends, authorizes or recommends the use of public funds;

(l) "Public servant" means:

(i) Any elected or appointed official of the government;

(ii) Any officer, director, commissioner, supervisor, chief, head, agent or employee of the government or any agency thereof, or of any public entity created by or under the laws of the State of Mississippi or created by an agency or governmental entity thereof, any of which is funded by public funds or which expends, authorizes or recommends the use of public funds; or

(iii) Any individual who receives a salary, per diem or expenses paid in whole or in part out of funds authorized to be expended by the government.
SECTION 81. Section 65-1-3, Mississippi Code of 1972, is amended as follows:

65-1-3. There shall be a State Highway Commission which shall consist of three (3) members, one (1) from each of the three (3) Supreme Court Districts of the state. Only qualified electors who are citizens of the Supreme Court District in which he or she seeks election for five (5) years immediately preceding the day of the election shall be eligible for such office; however, the five-year citizen requirement shall apply to elections held from and after January 1, 2020.

On Tuesday after the first Monday in November of the year 1951, and every four (4) years thereafter, State Highway Commissioners shall be elected at the same time and in the same manner as the Governor is chosen; and the laws governing * * *primary preferential* elections and the holding of general elections in this state shall apply to and govern the * * *nomination and election of State Highway Commissioners.
The State Highway Commissioners so elected shall enter upon the discharge of the duties of their respective offices on the first Monday of January in the year next succeeding the date of their election, and they shall serve for a term of four (4) years and until their successors shall have been duly elected and qualified.

If any one or more of the State Highway Commissioners elected under the provisions of this chapter shall die, resign or be removed from office, the Governor shall fill the vacancy by
appointment for the unexpired term, provided such unexpired term shall not exceed twelve (12) months. If such unexpired term shall exceed twelve (12) months, the Governor shall, within fifteen (15) days from the date of such vacancy, by proclamation duly made, call an election in the Supreme Court District in which such vacancy exists, to be held within sixty (60) days from the date of the issuance of such proclamation, at which election a State Highway Commissioner shall be elected to fill such vacancy for the remaining portion of such unexpired term. Such special election shall be held in the manner provided for holding general elections in this state, as far as practicable.

Each of said State Highway Commissioners, before entering upon the discharge of the duties of his or her office, shall take and subscribe the oath of office required of other state officials and shall execute bond in the sum of Fifty Thousand Dollars ($50,000.00), with some surety company authorized to do business in this state as surety, conditioned for the faithful performance of the duties of his or her office and for the faithful and true accounting of all funds or monies or property coming into his or her hands by virtue of his or her office, and conditioned further that all such funds, monies and property will be expended and used by him or her only for purposes authorized by law, said bond to be approved by the Governor or Attorney General and to be filed in the Office of the
Secretary of State. The premium on such bonds shall be paid out of the funds of the Mississippi Department of Transportation.

From and after July 1, 1992, the State Highway Commission shall be the Mississippi Transportation Commission and the members thereof shall be the Mississippi Transportation Commissioners.

SECTION 82. Section 79-19-21, Mississippi Code of 1972, is amended as follows:

79-19-21. The affairs of the association shall be managed by a board of not less than five (5) directors, elected by the members or stockholders from their own number and shall have all rights and powers as provided for under the general corporation laws of this state, and such other powers as may be necessary to the proper execution of provisions of this chapter. The bylaws may provide that the territory in which the association has members shall be divided into districts and that the directors shall be elected according to such districts. In such case the bylaws shall specify the number of directors to be elected by each district, the manner and method of reapportioning the directors and of redistricting the territory covered by the association. The bylaws may provide that * * * primary preferential elections should be held in each district to elect the directors apportioned to such districts and the result of all such * * * primary preferential elections must be ratified by the next regular meeting of the association or may be considered final as to the association.
The bylaws may provide that one or more directors may be appointed by the president of Mississippi State University of Agriculture and Applied Science or such other public official, commission, association or board as may be indicated by such bylaws. Such directors shall represent primarily the interest of the general public in such associations. The director or directors so appointed need not be members or stockholders of the association, but shall have the same powers and rights as other directors. Such directors shall not number more than one-fifth (1/5) of the entire number of directors.

The directors of an association may provide a fair remuneration for the time actually spent by its officers, directors and employees in its service. No director, during the term of his or her office, shall be a party to a contract for profit with the association, differing in any way from the business relations accorded regular members or holders of common stock of the association.

The bylaws may provide for an executive committee and may allot to such the committee all the functions and powers of the board of directors, subject to the general direction and control of the board.

When a vacancy on the board of directors occurs, other than by expiration of term, the remaining members of the board, by a majority vote, shall fill the vacancy unless the bylaws provide for an election of directors by districts. In such a case the
board of directors shall immediately call a special election to be voted in by the members or stockholders in that district to fill the vacancy.

SECTION 83. Section 79-19-27, Mississippi Code of 1972, is amended as follows:

79-19-27. Any member may bring charges against an officer or director by filing them in writing with the secretary of the association, together with a petition signed by ten percent (10%) of the members, requesting the removal of the officer or director in question. The removal shall be voted upon at the next regular or special meeting of the association and, by a vote of a majority of the members, the association may remove the officer or director and fill the vacancy. The director or officer against whom such charges have been brought shall be informed in writing of the charges previous to the meeting and shall have an opportunity at the meeting to be heard in person or by counsel and to present witnesses; and the person or persons bringing charges against him or her shall have the same opportunity. But such the officer or director may be suspended by a vote of two-thirds (2/3) of the directors, pending the hearing of such charges.

In case the bylaws provide for election of directors by districts with primary preferential elections in each district, then the petition for removal of a director must be signed by twenty percent (20%) of the members residing in the district from which he or she was elected. The board of directors...
must call a special meeting of the members residing in that
district to consider the removal of the director. By a vote of
the majority of the members of that district, the director in
question shall be removed from office.

SECTION 84. Section 95-1-5, Mississippi Code of 1972, is
amended as follows:

95-1-5. (1) Before any civil action is brought for
publication, in a newspaper domiciled and published in this state
or authorized to do business in Mississippi so as to be subject to
the jurisdiction of the courts of this state, of a libel, or
against any radio or television station domiciled in this state,
the plaintiff shall, at least ten (10) days before instituting any
such action, serve notice in writing on the defendant at its
regular place of business, specifying the article, broadcast or
telecast, and the statements therein, which he or she alleges to
be false and defamatory.

(2) If it appears upon the trial that * * * said the article
was published, broadcast or telecast in good faith, that its
falsity was due to an honest mistake of the facts, and there were
reasonable grounds for believing that the statements in * * * said
the article, broadcast or telecast were true, and that within ten
(10) days after the service of * * * said the notice a full and
fair correction, apology and retraction was published in the same
edition or corresponding issues of the newspaper in
which * * * said the article appeared, and in as conspicuous place
and type as was * * *said the original article, or was broadcast
or telecast under like conditions correcting an honest mistake,
and if the jury shall so find, the plaintiff in such case shall
recover only actual damages. The burden of proof of the foregoing
facts shall be affirmative defenses of the defendant and pled as
such.

(3) This section shall not apply to any publication
concerning a candidate for public office made within ten (10) days
of any * * *primary preferential, general or special election in
which such candidate's candidacy for or election to public office
is to be determined, and this section shall not apply to any
editorial or to any regularly published column in which matters of
opinions are expressed.

SECTION 85. Section 97-13-35, Mississippi Code of 1972, is
amended as follows:

97-13-35. *(1)* Any person who * * *shall votes*
at * * *any an election, not being legally qualified, or
who * * *shall votes in more than one (1) county, or at more than
one (1) place in any county or in any city, town, or village
entitled to separate representation, or who * * *shall votes out
of the district of his or her legal domicile, * * *or who shall
vote or attempt to vote in the primary election of one (1) party
when he shall have voted on the same date in the primary election
of another party, shall, upon conviction, be imprisoned in the
county jail not more than one (1) year, or be fined not more than One Thousand Dollars ($1,000.00), or both.

* * *(2) Any person who shall vote in the second primary election of one (1) party when he voted in the first primary election of another party preceding the same regular, special, or general election shall, upon conviction, be guilty of a misdemeanor and be imprisoned in the county jail not more than six (6) months, or be fined not more than Five Hundred Dollars ($500.00), or both.

SECTION 86. Section 23-15-575, Mississippi Code of 1972, is brought forward as follows:

23-15-575. No person shall vote or attempt to vote in the primary election of one (1) party when he or she has voted on the same date in the primary election of another party. No person shall vote or attempt to vote in the second primary election of one (1) party when he or she has voted in the first primary election of another party.

SECTION 87. Section 23-15-171, Mississippi Code of 1972, which provides for the dates of municipal primary elections, is repealed.

SECTION 88. Section 23-15-191, Mississippi Code of 1972, which provides for the date of state, district and county primary elections, is repealed.

Mississippi Code of 1972, which provide for the duties of the state executive committee and county executive committees in primary elections, provide for the qualification of candidates for party primary elections, and provide for the conduct of party primary elections, are repealed.


SECTION 91. Sections 23-15-597 and 23-15-599, Mississippi Code of 1972, which provide for the canvass of returns and announcement of vote by the county executive committees in primary elections, and require the state executive committee to transmit to the Secretary of State a tabulated statement of the party vote for certain offices, are repealed.


SECTION 93. Section 23-15-1031, Mississippi Code of 1972, which provides for the date of primary elections for Congressmen and United States Senators, is repealed.
SECTION 94. Section 23-15-1063, Mississippi Code of 1972, which prohibits unregistered political parties from conducting primary elections, is repealed.

SECTION 95. Section 23-15-1083, Mississippi Code of 1972, which requires that certain congressional primaries be held on the same day as the presidential preference primary, is repealed.

SECTION 96. Sections 1 through 17 of this act shall be codified as new sections in Chapter 15, Title 23, Mississippi Code of 1972.

SECTION 97. This act shall take effect and be in force from and after July 1, 2021.