To: Elections

By: Senator(s) DeBar

SENATE BILL NO. 2291

AN ACT TO CREATE THE NONPARTISAN COUNTY ELECTIONS ACT; TO PROVIDE THAT THE COUNTY OFFICES OF CHANCERY CLERK, CIRCUIT CLERK, TAX ASSESSOR, TAX COLLECTOR, COUNTY SURVEYOR AND COUNTY CORONER SHALL BE NONPARTISAN; TO PROVIDE DEFINITIONS FOR SUCH ACT; TO 5 PROVIDE WHEN A CANDIDATE SHALL FILE THEIR INTENT AND THE AMOUNT OF 6 FEES APPLICABLE FOR SUCH OFFICE; TO PROVIDE HOW THE NAMES OF THE 7 CANDIDATES SHALL BE GROUPED ON A BALLOT; TO PROVIDE THE PROCEDURE WHEN TWO OR MORE CANDIDATES QUALIFY FOR COUNTY OFFICE; TO AMEND 8 9 SECTION 23-15-297, MISSISSIPPI CODE OF 1972, TO REMOVE COUNTY 10 OFFICES FROM FEE REQUIREMENTS FOR PARTY NOMINATION; TO AMEND SECTIONS 23-15-21, 23-15-31, 23-15-153, 23-15-291, 23-15-507 AND 11 12 23-15-911, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED 13 PURPOSES.

- 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:
- 15 **SECTION 1.** (1) This act shall be known and may be cited as 16 the "Nonpartisan County Elections Act."
- 17 The purpose of this act is to provide that the following (2)
- 18 county offices shall be nonpartisan: chancery clerk, circuit
- 19 clerk, tax assessor, tax collector, county surveyor and county
- 20 coroner.
- 21 SECTION 2. (1) A county office listed in Section 1 of this
- 22 act shall be a nonpartisan office and a candidate for election to
- 23 a county office is prohibited from campaigning or qualifying for

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- 24 such an office based on party affiliation. No committee,
- 25 political party, or political committee affiliated with a
- political party shall engage in fund-raising, make any 26
- 27 contribution, nor endorse any candidate or officeholder of a
- 28 nonpartisan county office, or the political committee of a
- 29 candidate or officeholder of a nonpartisan county office.
- candidate, candidate's political committee, nor officeholder of a 30
- 31 nonpartisan county office shall accept a contribution from any
- 32 committee, political party, nor political committee affiliated
- 33 with a political party.
- 34 Except as otherwise provided by this act, the general
- laws for election in this state shall apply to and govern the 35
- 36 election for county offices.
- 37 SECTION 3. (1) For purposes of this act, the following
- 38 words shall have the meanings provided herein, unless the context
- 39 clearly indicates otherwise:
- 40 "Preferential county election" means an election (a)
- held for the purpose of determining those candidates for county 41
- 42 offices listed in Section 1 of this act whose names will be placed
- 43 on the general or regular election ballot. Any person who meets
- 44 the qualifications as a candidate for a county office may be a
- 45 candidate in the preferential county election without regard to
- 46 party affiliation or lack of party affiliation.
- 47 "General election" or "regular election" means an (b)
- election held as provided by law in Title 23, Chapter 15, 48

- 49 Mississippi Code of 1972, for the purpose of determining which
- 50 candidate shall be elected to office.
- 51 (c) "County office" means an office listed in Section 1
- 52 of this act.
- (d) "Candidate" means a person who enters the race for
- 54 an office listed in Section 1 of this act.
- 55 (2) All qualified electors of the State of Mississippi,
- 56 without regard to party affiliation or lack of party affiliation,
- 57 shall be qualified to vote for candidates for nomination for
- 58 county office.
- 59 **SECTION 4.** (1) All candidates for county office listed in
- 60 Section 1 of this act shall file their intent to be a candidate
- 61 with the proper officials not later than 5:00 p.m. sixty (60) days
- 62 before any general or regular election and pay the proper
- 63 officials One Hundred Dollars (\$100.00).
- 64 (2) No person shall be denied a place upon the ballot for
- 65 any office for which he desires to be a candidate because of his
- 66 inability to pay the assessment set out above.
- 67 (3) Candidates for county office shall file their intent to
- 68 be a candidate with, and pay the proper assessment made pursuant
- 69 to subsection (1) of this section to the circuit clerk of the
- 70 county. The circuit clerk shall notify the county commissioners
- 71 of election of all persons who have filed their intent to be a
- 72 candidate with, and paid the proper assessment to, such clerk,
- 73 within two (2) business days.

- SECTION 5. (1) The names of candidates for county office which appear on the ballot at the general election shall be grouped together on a separate portion of the ballot, clearly identified as nonpartisan county elections.
- 78 (2) The names of all candidates for county office shall be 79 listed in alphabetical order on any ballot and no reference to 80 political party affiliation shall appear on any ballot with 81 respect to any nonpartisan county office or candidate.
- 82 (3) The name of an unopposed candidate for county office 83 shall be placed on the general election ballot.
- 84 **SECTION 6.** If two (2) or more candidates qualify for county office, the names of those candidates shall be placed on the 85 86 general election ballot. If any candidate for such an office 87 receives a majority of the votes cast for such office in the general election, he shall be declared elected. If no candidate 88 for such office receives a majority of the votes cast for such 89 90 office in the general election, the names of the two (2) candidates receiving the highest number of votes for such office 91 92 shall be placed on the ballot for a second election to be held 93 three (3) weeks later in accordance with appropriate procedures 94 followed in other runoff elections.
- 95 **SECTION 7.** Section 23-15-21, Mississippi Code of 1972, is 96 amended as follows:

- 97 23-15-21. It shall be unlawful for any person who is not a 98 citizen of the United States or the State of Mississippi to register or to vote in any * * * election in the state. 99
- 100 SECTION 8. Section 23-15-31, Mississippi Code of 1972, is amended as follows: 101
- 102 23-15-31. All of the provisions of this subarticle shall be 103 applicable, insofar as possible, to municipal, primary, county 104 preferential, general and special elections; and wherever therein 105 any duty is imposed or any power or authority is conferred upon the county registrar, county election commissioners or county 106 executive committee with reference to a state and county election, 107 108 such duty shall likewise be conferred upon the municipal 109 registrar, municipal election commission or municipal executive
- SECTION 9. Section 23-15-153, Mississippi Code of 1972, is 111 112 amended as follows:

committee with reference to any municipal election.

113 23-15-153. (1) At least during the following times, the election commissioners shall meet at the office of the registrar 114 115 or the office of the election commissioners to carefully revise 116 the county voter roll as electronically maintained by the 117 Statewide Elections Management System and remove from the roll the 118 names of all voters who have requested to be purged from the voter roll, died, received an adjudication of non compos mentis, been 119 120 convicted of a disenfranchising crime, or otherwise become

disqualified as electors for any cause, and shall register the

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	122	names	of	all	persons	who	have	duly	applied	to	be	registered	but
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- 123 have been illegally denied registration:
- 124 On the Tuesday after the second Monday in January
- 125 1987 and every following year;
- 126 On the first Tuesday in the month immediately
- 127 preceding the first primary election for members of Congress in
- the years when members of Congress are elected; 128
- 129 (i) On the first Monday in the month immediately
- 130 preceding the first primary election for state, state district
- legislative, county and county district offices in the years in 131
- which those offices are elected; and 132
- 133 (ii) On the first Monday in the month immediately
- 134 preceding the first county preferential election for nonpartisan
- 135 county offices in the years in which those offices are elected;
- 136 and
- 137 On the second Monday of September preceding the
- 138 general election or regular special election day in years in which
- a general election is not conducted. 139
- 140 Except for the names of those voters who are duly qualified
- 141 to vote in the election, no name shall be permitted to remain in
- 142 the Statewide Elections Management System; however, no name shall
- 143 be purged from the Statewide Elections Management System based on
- a change in the residence of an elector except in accordance with 144
- procedures provided for by the National Voter Registration Act of 145
- 1993. Except as otherwise provided by Section 23-15-573, no 146

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147	person shal	ll vote at any election whose name is not	in t	the cour	nty
148	voter roll	electronically maintained by the Statewid	le El	Lections	S
149	Management	System.			

- Except as provided in this section, and subject to the 150 (2) 151 following annual limitations, the election commissioners shall be 152 entitled to receive a per diem in the amount of One Hundred 153 Dollars (\$100.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated 154 155 over two (2) or more days actually employed in the performance of 156 their duties in the conduct of an election or actually employed in 157 the performance of their duties for the necessary time spent in 158 the revision of the county voter roll as electronically maintained 159 by the Statewide Elections Management System as required in 160 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

171	allowed	for	the	conduct	of	each	election	in	excess	of	one	(1)

- 172 occurring in any calendar year;
- 173 In counties having thirty thousand (30,000)
- residents according to the latest federal decennial census but 174
- 175 less than seventy thousand (70,000) residents according to the
- latest federal decennial census, not more than one hundred (100) 176
- days per year, with no more than thirty-five (35) additional days 177
- allowed for the conduct of each election in excess of one (1) 178
- 179 occurring in any calendar year;
- 180 In counties having seventy thousand (70,000) (d)
- 181 residents according to the latest federal decennial census but
- 182 less than ninety thousand (90,000) residents according to the
- 183 latest federal decennial census, not more than one hundred
- 184 twenty-five (125) days per year, with no more than forty-five (45)
- additional days allowed for the conduct of each election in excess 185
- 186 of one (1) occurring in any calendar year;
- 187 In counties having ninety thousand (90,000) (e)
- residents according to the latest federal decennial census but 188
- 189 less than one hundred seventy thousand (170,000) residents
- 190 according to the latest federal decennial census, not more than
- 191 one hundred fifty (150) days per year, with no more than
- 192 fifty-five (55) additional days allowed for the conduct of each
- 193 election in excess of one (1) occurring in any calendar year;
- 194 In counties having one hundred seventy thousand (f)
- (170,000) residents according to the latest federal decennial 195

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

- 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

220 than ninety-five (95) additional days allowed for the conduct of 221 each election in excess of one (1) occurring in any calendar year;

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.

In addition to the number of days authorized in (3) 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, 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.

The election commissioners shall be entitled to 241 (4)(a) 242 receive a per diem in the amount of One Hundred Dollars (\$100.00), 243 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 244

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245 accumulated over two (2) or more days actually employed in the 246 performance of their duties for the necessary time spent in the 247 revision of the county voter roll as electronically maintained by the Statewide Elections Management System before any special 248 249 election. For purposes of this paragraph, the regular special 250 election day shall not be considered a special election. 251 annual limitations set forth in subsection (2) of this section 252 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.
- 267 (5) The election commissioners shall be entitled to receive 268 a per diem in the amount of One Hundred Dollars (\$100.00), to be 269 paid from the county general fund, not to exceed fourteen (14)

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- 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.
- 276 (6) The election commissioners shall be entitled to receive 277 only one (1) per diem payment for those days when the election 278 commissioners discharge more than one (1) duty or responsibility 279 on the same day.
- 280 In preparation for a municipal primary, runoff, general 281 or special election, the county registrar shall generate and 282 distribute the master voter roll and pollbooks from the Statewide 283 Elections Management System for the municipality located within 284 the county. The municipality shall pay the county registrar for 285 the actual cost of preparing and printing the municipal master 286 voter roll pollbooks. A municipality may secure "read only" 287 access to the Statewide Elections Management System and print its 288 own pollbooks using this information.
- 289 (8) County election commissioners who perform the duties of
 290 an executive committee with regard to the conduct of a primary
 291 election under a written agreement authorized by law to be entered
 292 into with an executive committee shall receive per diem as
 293 provided for in subsection (2) of this section. The days that
 294 county election commissioners are employed in the conduct of a

295	primary	election sh	all be t	reated th	e same as da	ys county	election
296	commissi	oners are e	mployed	in the co	nduct of oth	er electi	ons.
297	(9)	In additi	on to an	y per die	m authorized	by this	section,
298	any elec	ction commis	sioner s	hall be e	entitled to the	he mileag	е
299	reimburs	sement rate	allowabl	e to fede	ral employee	s for the	use of a
300	privatel	y owned veh	icle whi	le on off	icial travel	on elect	ion day.
301	(10)) Every el	ection c	ommission	er shall sig	n persona	lly a
302	certific	cation setti	ng forth	the numb	er of hours	actually	worked in
303	the perf	formance of	the comm	issioner'	s official d	uties and	for
304	which th	ne commissio	ner seek	s compens	ation. The	certifica	tion must
305	be on a	form as pre	scribed	in this s	ubsection.	The commi	ssioner's
306	signatur	ce is, as a	matter o	f law, ma	de under the	commissi	oner's
307	oath of	office and	under pe	nalties c	f perjury.		
308	The	e certificat	ion form	shall be	as follows:		
309			COUNTY E	LECTION C	COMMISSIONER		
310			PER	DIEM CLA	IM FORM		
311	NAME:				COUNTY: _		
312	ADDRESS:				DISTRICT:		
313	CITY:		_ ZIP:		-		
314				PURPOSE	APPLICABLE	ACTUAL	PER DIEM
315	DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
316	WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED
317							
318							
319							

320	TOTAL NUMBER OF PER DIEM DAYS EARNED
321	EXCLUDING ELECTION DAYS
322	PER DIEM RATE PER DAY EARNED X \$100.00
323	TOTAL NUMBER PER DIEM DAYS EARNED
324	FOR ELECTION DAYS
325	PER DIEM RATE PER DAY EARNED X \$150.00
326	TOTAL AMOUNT OF PER DIEM CLAIMED \$
327	I understand that I am signing this document under my oath as
328	an election commissioner and under penalties of perjury.
329	I understand that I am requesting payment from taxpayer funds
330	and that I have an obligation to be specific and truthful as to
331	the amount of hours worked and the compensation I am requesting.
332	Signed this the day of,,
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334	Commissioner's Signature
335	When properly completed and signed, the certification must be
336	filed with the clerk of the county board of supervisors before any
337	payment may be made. The certification will be a public record
338	available for inspection and reproduction immediately upon the
339	oral or written request of any person.
340	Any person may contest the accuracy of the certification in
341	any respect by notifying the chair of the commission, any member
342	of the board of supervisors or the clerk of the board of
343	supervisors of the contest at any time before or after payment is
344	made If the contest is made before payment is made, no payment

345	shall be made as to the contested certificate until the contest is
346	finally disposed of. The person filing the contest shall be
347	entitled to a full hearing, and the clerk of the board of
348	supervisors shall issue subpoenas upon request of the contestor
349	compelling the attendance of witnesses and production of documents
350	and things. The contestor shall have the right to appeal de novo
351	to the circuit court of the involved county, which appeal must be
352	perfected within thirty (30) days from a final decision of the
353	commission, the clerk of the board of supervisors or the board of
354	supervisors, as the case may be.

Any contestor 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. 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

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- 370 receive any compensation authorized by this section or Section
- 371 23-15-239.
- 372 **SECTION 10.** Section 23-15-291, Mississippi Code of 1972, is
- 373 amended as follows:
- 374 23-15-291. Except as provided in Sections 1 and 3 of this
- 375 act, all nominations for state, district, county and county
- 376 district officers made by the different parties of this state
- 377 shall be made by primary elections. All primary elections shall
- 378 be governed and regulated by the election laws of the state in
- 379 force at the time the primary election is held.
- 380 **SECTION 11.** Section 23-15-297, Mississippi Code of 1972, is
- 381 amended as follows:
- 382 23-15-297. All candidates upon entering the race for party
- 383 nominations for office shall first pay to the proper officer as
- 384 provided for in Section 23-15-299 for each primary election and
- 385 all independent candidates and special election candidates shall
- 386 pay to the proper officer as provided for in Section 23-15-299 the
- 387 following amounts:
- 388 (a) Candidates for Governor, One Thousand Dollars
- 389 (\$1,000.00).
- 390 (b) Candidates for Lieutenant Governor, Attorney
- 391 General, Secretary of State, State Treasurer, Auditor of Public
- 392 Accounts, Commissioner of Insurance, Commissioner of Agriculture
- 393 and Commerce, State Highway Commissioner and State Public Service
- 394 Commissioner, Five Hundred Dollars (\$500.00).

395	(c) Candida	ates	for di	strict	attorney,	State	Senator	and
396	State Repres	entative,	Two	Hundre	d Fifty	Dollars	(\$250.0	00).	

- (d) Candidates for sheriff, * * * county attorney,
 county superintendent of education and board of supervisors, One
 Hundred Dollars (\$100.00).
- 400 (e) Candidates for * * * justice court judge and 401 constable, One Hundred Dollars (\$100.00).
- 402 (f) Candidates for United States Senator, One Thousand 403 Dollars (\$1,000.00).
- 404 (g) Candidates for United States Representative, Five 405 Hundred Dollars (\$500.00).
- 406 **SECTION 12.** Section 23-15-507, Mississippi Code of 1972, is 407 amended as follows:
- 408 23-15-507. No OMR equipment shall be acquired or used in 409 accordance with this chapter unless it shall:
- 410 (a) Permit eligible voters to vote at any election for
 411 all persons for whom they are lawfully entitled to vote; to vote
 412 for as many persons for an office as they are lawfully entitled to
 413 vote; to vote for or against any ballot initiative, measure or
 414 other local issue upon which they are lawfully entitled to vote;
- (b) The OMR equipment shall be capable of rejecting

 416 choices marked on the ballot if the number of choices exceeds the

 417 number that the voter is entitled to vote for the office or on the

 418 measure;

419 (c) Permit each voter, in	presidential elections,	bv
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- 420 one (1) mark to vote for the candidates of that party for
- 421 President, Vice President, and their presidential electors, or to
- 422 vote individually for the electors of their choice when permitted
- 423 by law;
- 424 (d) Permit each voter, in other than primary elections,
- 425 to vote for the * * * candidates of one or more parties and for
- 426 independent candidates;
- 427 (e) Permit each voter to vote for candidates only in
- 428 the primary in which he or she is qualified to vote;
- 429 (f) Permit each voter to vote for persons whose names
- 430 are not on the printed ballot;
- 431 (g) Be suitably designed for the purpose used, of
- 432 durable construction, and may be used safely, efficiently and
- 433 accurately in the conduct of elections and the counting of
- 434 ballots;
- 435 (h) Be provided with means for sealing the ballots
- 436 after the close of the polls;
- (i) When properly operated, record correctly and count
- 438 accurately all votes cast; and
- 439 (j) Provide the voter with a set of instructions that
- 440 will be displayed in such a way that a voter may readily learn the
- 441 method of voting.
- **SECTION 13.** Section 23-15-911, Mississippi Code of 1972, is
- 443 amended as follows:

444	23-15-911. (1) (a) When the returns for a box and the
445	contents of the ballot box and the conduct of the election have
446	been canvassed and reviewed by the county election commission in
447	the case of general and preferential elections or the county
448	executive committee in the case of primary elections, all the
449	contents of the box required to be placed and sealed in the ballot
450	box by the poll managers shall be replaced therein by the election
451	commission or executive committee, as the case may be, and the box
452	shall be forthwith resealed and delivered to the circuit clerk,
453	who shall safely keep and secure the same against any tampering.
454	At any time within twelve (12) days after the canvass and
455	examination of the box and its contents by the election commission
456	or executive committee, as the case may be, any candidate or his
457	or her representative authorized in writing by him or her shall
458	have the right of full examination of the box and its contents
459	upon three (3) days' notice of his or her application therefor
460	served upon the opposing candidates. The service of notice shall
461	be provided to each opposing candidate by delivering a copy
462	personally to each candidate, or by performing two (2) of the
463	following:
464	(i) By leaving a copy at each candidate's usual
465	place of residence with a family member, who shall be no less than
466	sixteen (16) years of age and, who resides in the candidate's

residence;

468			(ii)	Ву	email	or	other	electronic	means,	with
469	receipt	deemed	upon	tran	nsmissi	ion;	or			

- 470 By mailing a copy of the notice by registered or certified mail that is addressed to each opposing 471 472 candidate at that candidate's residence with receipt deemed 473 mailing.
- 474 If service of notice cannot be made to any opposing (b) 475 candidate, then notice may be posted on the door of each 476 candidate's usual place of abode. If any candidate's usual place 477 of residence is a multifamily dwelling, a copy of the notice must 478 be mailed to the candidate or candidates by United States 479 first-class mail, postage prepaid, return receipt requested. 480 Proof of service of notice upon any opposing candidate shall be 481 made to the circuit clerk within three (3) days before a full 482 examination of the ballot box may be conducted.
- 483 The examination shall be conducted in the presence 484 of the circuit clerk or his or her deputy who shall be charged 485 with the duty to see that none of the contents of the box are 486 removed from the presence of the clerk or in any way tampered 487 with. Upon the completion of the examination the box shall be 488 resealed with all its original contents inside. And if any 489 contest or complaint before the court shall arise over the box, it 490 shall be kept intact and sealed until the court hearing and 491 another ballot box, if necessary, shall be furnished for the 492 precinct involved.

493	(2) The provisions of this section allowing the examination
494	of ballot boxes shall apply in the case of an election contest
495	regarding the seat of a member of the state Legislature. In such
496	a case, the results of the examination shall be reported by the
497	applicable circuit clerk to the Clerk of the House of
498	Representatives or the Secretary of the Senate, as the case may
499	be.

SECTION 14. This act shall take effect and be in force from

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and after July 1, 2022.