

## House Amendments to Senate Bill No. 2353

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

14           23-15-227. (1) The poll managers shall be each entitled  
15 to \* \* \* One Hundred Fifty Dollars (\$150.00) for each election;  
16 however, the board of supervisors may, in its discretion, pay the  
17 poll managers an additional amount not to exceed Fifty Dollars  
18 (\$50.00) per election.

19           \* \* \*

20           ( \* \* \* 2) The poll manager who shall carry to the place of  
21 voting, away from the courthouse, the official ballots, ballot  
22 boxes, pollbooks and other necessities, shall be allowed \* \* \*  
23 Thirty Dollars (\$30.00) for each voting precinct for so doing.

24 The poll manager who acts as returning officer shall be allowed  
25 \* \* \* Thirty Dollars (\$30.00) for each voting precinct for that  
26 service. If a person who performs the duties described in this  
27 subsection uses a privately owned motor vehicle to perform them,  
28 he or she shall receive for each mile actually and necessarily

29 traveled in excess of ten (10) miles, the mileage reimbursement  
30 rate allowable to federal employees for the use of a privately  
31 owned vehicle while on official travel.

32 (4) The compensation authorized in this section shall be  
33 allowed by the board of supervisors, and shall be payable out of  
34 the county treasury; provided, however, that any compensation for  
35 additional pandemic pay due to a public health emergency may be  
36 payable from federal funds available for such purpose, or a  
37 combination of both county and federal funding sources.

38 (5) The compensation provided in this section shall  
39 constitute payment in full for the services rendered by the  
40 persons named for any election, whether there be one (1) election  
41 or issue voted upon, or more than one (1) election or issue voted  
42 upon at the same time.

43 (6) The Secretary of State shall promulgate rules and  
44 regulations as are necessary to ensure the safety of poll  
45 managers, election commissioners, electors and their families at  
46 the voting precincts during a COVID-19 public health risk or other  
47 public health risk declared by the Governor where the appearance  
48 of such persons may result in exposure to such risk or the  
49 exposure of other persons to such risk.

50 **SECTION 2.** Section 23-15-229, Mississippi Code of 1972, is  
51 amended as follows:

52 23-15-229. The compensation for poll managers and other  
53 workers in the polling places of a municipality shall be the same  
54 as the compensation paid by the county for those services;

55 provided, however, that the governing authorities of a  
56 municipality shall not be required to pay any additional  
57 compensation authorized by the board of supervisors. The  
58 governing authorities of a municipality may, in their discretion,  
59 pay clerks and poll managers in the polling places of the  
60 municipality an additional amount of compensation not to exceed  
61 Fifty Dollars (\$50.00) per election \* \* \*. Such compensation  
62 shall be payable out of the county general fund, and may be  
63 payable from federal funds available for such purpose, or a  
64 combination of both funding sources.

65 **SECTION 3.** Section 23-15-239, Mississippi Code of 1972, is  
66 amended as follows:

67 23-15-239. (1) The executive committee of each county, in  
68 the case of a primary election, or the election commissioners of  
69 each county, in the case of all other elections, in conjunction  
70 with the circuit clerk, shall, in the years in which counties  
71 conduct an election, sponsor and conduct, not less than five (5)  
72 days before each election, not less than four (4) hours and not  
73 more than eight (8) hours of poll manager training to instruct  
74 poll managers as to their duties in the proper administration of  
75 the election and the operation of the polling place. Any poll  
76 manager who completes the online training course provided by the  
77 Secretary of State shall only be required to complete two (2)  
78 hours of in-person poll manager training. No poll manager shall  
79 serve in any election unless he or she has received these  
80 instructions once during the twelve (12) months immediately

81 preceding the date upon which the election is held; however,  
82 nothing in this section shall prevent the appointment of an  
83 alternate poll manager to fill a vacancy in case of an emergency.  
84 The county executive committee or the election commissioners, as  
85 appropriate, shall train a sufficient number of alternates to  
86 serve in the event a poll manager is unable to serve for any  
87 reason.

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

99         (b) If it is eligible under Section 23-15-266, the  
100 municipal executive committee may enter into a written agreement  
101 with the municipal clerk or the municipal election commission  
102 authorizing the municipal clerk or the municipal election  
103 commission to perform any of the duties required of the municipal  
104 executive committee pursuant to this section. Any agreement  
105 entered into pursuant to this subsection shall be signed by the  
106 chair of the municipal executive committee and the municipal clerk

107 or the chair of the municipal election commission, as appropriate.  
108 The municipal executive committee shall notify the state executive  
109 committee and the Secretary of State of the existence of the  
110 agreement.

111 (3) The board of supervisors and the municipal governing  
112 authority, in their discretion, may compensate poll managers who  
113 attend these training sessions. The compensation shall be at a  
114 rate of not less than the federal hourly minimum wage nor more  
115 than \* \* \* Twenty Dollars (\$20.00) per hour. Poll managers shall  
116 not be compensated for more than sixteen (16) hours of attendance  
117 at the training sessions regardless of the actual amount of time  
118 that they attended the training sessions.

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

128 (5) Subject to the following annual limitations, the  
129 election commissioners shall be entitled to receive a per diem in  
130 the amount of One Hundred Dollars (\$100.00), to be paid from the  
131 county general fund, for every day or period of no less than five  
132 (5) hours accumulated over two (2) or more days actually employed

133 in the performance of their duties for the necessary time spent in  
134 conducting training sessions as required by this section:

135 (a) In counties having less than fifteen thousand  
136 (15,000) residents according to the latest federal decennial  
137 census, not more than five (5) days per year;

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

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

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

153 (e) In counties having ninety thousand (90,000)  
154 residents according to the latest federal decennial census but  
155 less than one hundred seventy thousand (170,000) residents  
156 according to the latest federal decennial census, not more than  
157 fifteen (15) days per year;

158 (f) In counties having one hundred seventy thousand  
159 (170,000) residents according to the latest federal decennial  
160 census but less than two hundred thousand (200,000) residents  
161 according to the latest federal decennial census, not more than  
162 eighteen (18) days per year;

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

168 (h) In counties having two hundred twenty-five thousand  
169 (225,000) residents or more according to the latest federal  
170 decennial census, not more than twenty-two (22) days per year.

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

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

180 (b) County poll managers who individually access and  
181 complete the online training program, including all skills  
182 assessments, at least five (5) days before an election shall be

183 defined as "certified poll managers," and entitled to a  
184 "Certificate of Completion."

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

188 **SECTION 4.** This act shall take effect and be in force from  
189 and after July 1, 2023, and shall stand repealed on June 30, 2023.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 23-15-227, MISSISSIPPI CODE OF 1972,  
2 TO INCREASE THE POLL MANAGERS COMPENSATION TO ONE HUNDRED FIFTY  
3 DOLLARS; TO INCREASE THE COMPENSATION OF THE POLL MANAGERS WHO  
4 CARRY AND RETURN THE BALLOTS TO THIRTY DOLLARS; TO MAKE A MINOR,  
5 NONSUBSTANTIVE CHANGE; TO AMEND SECTION 23-15-229, MISSISSIPPI  
6 CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE CHANGE; TO AMEND  
7 SECTION 23-15-239, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
8 MAXIMUM ALLOWED COMPENSATION TO NOT MORE THAN TWENTY DOLLARS FOR  
9 POLL WORKERS FOR ATTENDING REQUIRED TRAINING; AND FOR RELATED  
10 PURPOSES.

HR43\SB2353A.J

Andrew Ketchings  
Clerk of the House of Representatives