

By: Representative Carpenter

To: Apportionment and  
Elections

HOUSE BILL NO. 1009

1 AN ACT TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972,  
 2 TO REMOVE THE REQUIREMENT THAT CANDIDATES FOR COUNTY ELECTION  
 3 COMMISSIONER MUST FILE A PETITION PERSONALLY SIGNED BY NOT LESS  
 4 THAN FIFTY QUALIFIED ELECTORS IN ORDER TO QUALIFY FOR OFFICE; TO  
 5 PROVIDE THAT CANDIDATES FOR COUNTY ELECTION COMMISSIONER SHALL  
 6 QUALIFY BY FILING WITH THE CLERK OF THE BOARD OF SUPERVISORS OF  
 7 THEIR RESPECTIVE COUNTIES A WRITTEN STATEMENT CONTAINING THE NAME  
 8 AND ADDRESS OF THE CANDIDATE AND THE EMAIL ADDRESS OF THE  
 9 CANDIDATE; AND FOR RELATED PURPOSES.

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

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

13 23-15-213. (1) There shall be elected five (5) election  
 14 commissioners for each county whose terms of office shall commence  
 15 on the first Monday of January following their election and who  
 16 shall serve for a term of four (4) years. Each of the  
 17 commissioners shall be required to attend a training seminar  
 18 provided by the Secretary of State and satisfactorily complete a  
 19 skills assessment, and before acting, shall take and subscribe the  
 20 oath of office prescribed by the Constitution. The oath shall be  
 21 filed in the office of the clerk of the chancery court. Upon



22 filing the oath of office, the election commissioner may be  
23 provided access to the Statewide Elections Management System for  
24 the purpose of performing his or her duties. Such skills  
25 assessment shall only be required once every four (4) years.  
26 While engaged in their duties, the commissioners shall be  
27 conservators of the peace in the county, with all the duties and  
28 powers of such.

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

33 (b) At the general election in 2023 and every four (4)  
34 years thereafter, the qualified electors of the board of  
35 supervisors' Districts Two and Four shall elect in their district  
36 one (1) election commissioner.

37 (c) No more than one (1) commissioner shall be a  
38 resident of and reside in each supervisor's district of the  
39 county; it being the purpose of this section that the county board  
40 of election commissioners shall consist of one (1) person from  
41 each supervisor's district of the county and that each  
42 commissioner be elected from the supervisor's district in which he  
43 or she resides.

44 (3) Candidates for county election commissioner shall  
45 qualify by filing with the clerk of the board of supervisors of  
46 their respective counties \* \* \* a written statement containing the



47 name and address of the candidate and the email address of the  
48 candidate, if any, by 5:00 p.m. not later than February 1 of the  
49 year in which the election occurs and unless the \* \* \* statement  
50 is filed within the required time, their names shall not be placed  
51 upon the ballot. All candidates shall declare in writing their  
52 party affiliation, if any, to the board of supervisors, and such  
53 party affiliation shall be shown on the official ballot.

54 (4) \* \* \* If the \* \* \* statement is filed within the time  
55 required, the president of the board shall verify that the  
56 candidate is a resident of the supervisor's district in which he  
57 or she seeks election and that the candidate is otherwise  
58 qualified as provided by law, and shall certify that the candidate  
59 is qualified to the chair or secretary of the county election  
60 commission and the names of the candidates shall be placed upon  
61 the ballot for the ensuing election. No county election  
62 commissioner shall serve or be considered as elected until he or  
63 she has received a majority of the votes cast for the position or  
64 post for which he or she is a candidate. If a majority vote is  
65 not received in the first election, then the two (2) candidates  
66 receiving the most votes for each position or post shall be placed  
67 upon the ballot for a second election to be held three (3) weeks  
68 later in accordance with appropriate procedures followed in other  
69 elections involving runoff candidates.

70 (5) In the first meeting in January of each year, the county  
71 election commissioners shall organize by electing a chair and a



72 secretary, who shall serve a one-year term. The county election  
73 commissioners shall provide the names of the chair and secretary  
74 to the Secretary of State and provide notice of any change in  
75 officers which may occur during the year.

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

79 **SECTION 2.** This act shall take effect and be in force from  
80 and after July 1, 2024.

