

By: Representative Hurst

To: Apportionment and
Elections

HOUSE BILL NO. 1430

1 AN ACT TO AMEND SECTION 23-15-231, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT IF A POLITICAL PARTY PROVIDES THE NAMES OF
3 ELIGIBLE AND WILLING POLL MANAGERS FOR A PRECINCT, THEN POLL
4 MANAGERS SHALL NOT ALL BE FROM THE SAME POLITICAL PARTY; TO BRING
5 FORWARD SECTIONS 23-15-235, 23-15-239 AND 23-15-265, MISSISSIPPI
6 CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR
7 RELATED PURPOSES.

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

9 **SECTION 1.** Section 23-15-231, Mississippi Code of 1972, is
10 amended as follows:

11 23-15-231. Before every election, the election commissioners
12 or the executive committee, as the case may be, shall appoint a
13 minimum of three (3) persons for each voting precinct to be poll
14 managers, one (1) of whom shall be designated * * * as election
15 bailiff. For general and special elections, the poll managers
16 shall not all be of the same political party if a political party
17 identifies suitable persons * * * as available to be appointed and
18 willing to serve. If any person appointed shall fail to attend
19 and serve, the poll managers present, if any, may designate
20 someone to fill his or her place; and if the election



21 commissioners or executive committee fail to make the appointments
22 or in case of the failure of all those appointed to attend and
23 serve, any three (3) qualified electors present when the polls
24 should be opened may act as poll managers. * * * All persons
25 appointed to be poll manager or act as poll manager shall be a
26 qualified elector of the county * * *.

27 **SECTION 2.** Section 23-15-235, Mississippi Code of 1972, is
28 brought forward as follows:

29 23-15-235. In addition to the poll managers appointed
30 pursuant to Section 23-15-231, for the first five hundred (500)
31 registered voters in each voting precinct, the election
32 commissioners may, in their discretion, appoint not more than
33 three (3) persons to serve as poll managers of the election. The
34 election commissioners may, in their discretion, appoint
35 additional persons to serve as poll managers for each one thousand
36 (1,000) registered voters or fraction thereof in each voting
37 precinct above the first five hundred (500), as determined
38 necessary by the election commissioners and approved by the board
39 of supervisors. Any person appointed as poll manager shall be a
40 qualified elector of the county in which the voting precinct is
41 located.

42 **SECTION 3.** Section 23-15-239, Mississippi Code of 1972, is
43 brought forward as follows:

44 23-15-239. (1) The executive committee of each county, in
45 the case of a primary election, or the election commissioners of



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

65 (2) (a) If it is eligible under Section 23-15-266, the
66 county executive committee may enter into a written agreement with
67 the circuit clerk or the county election commission authorizing
68 the circuit clerk or the county election commission to perform any
69 of the duties required of the county executive committee pursuant
70 to this section. Any agreement entered into pursuant to this



71 subsection shall be signed by the chair of the county executive
72 committee and the circuit clerk or the chair of the county
73 election commission, as appropriate. The county executive
74 committee shall notify the state executive committee and the
75 Secretary of State of the existence of the agreement.

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

88 (3) The board of supervisors and the municipal governing
89 authority, in their discretion, may compensate poll managers who
90 attend these training sessions. The compensation shall be at a
91 rate of not less than the federal hourly minimum wage and not more
92 than Twenty Dollars (\$20.00) per hour. Poll managers shall not be
93 compensated for more than sixteen (16) hours of attendance at the
94 training sessions regardless of the actual amount of time that
95 they attended the training sessions.



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

105 (5) Subject to the following annual limitations, the
106 election commissioners shall be entitled to receive a per diem in
107 the amount of One Hundred Ten Dollars (\$110.00), to be paid from
108 the county general fund, for every day or period of no less than
109 five (5) hours accumulated over two (2) or more days actually
110 employed in the performance of their duties for the necessary time
111 spent in conducting training sessions as required by this section:

112 (a) In counties having less than fifteen thousand
113 (15,000) residents according to the latest federal decennial
114 census, not more than five (5) days per year;

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



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

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

130 (e) In counties having ninety thousand (90,000)
131 residents according to the latest federal decennial census but
132 less than one hundred seventy thousand (170,000) residents
133 according to the latest federal decennial census, not more than
134 fifteen (15) days per year;

135 (f) In counties having one hundred seventy thousand
136 (170,000) residents according to the latest federal decennial
137 census but less than two hundred thousand (200,000) residents
138 according to the latest federal decennial census, not more than
139 eighteen (18) days per year;

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



145 (h) In counties having two hundred twenty-five thousand
146 (225,000) residents or more according to the latest federal
147 decennial census, not more than twenty-two (22) days per year.

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

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

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

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

165 **SECTION 4.** Section 23-15-265, Mississippi Code of 1972, is
166 brought forward as follows:

167 23-15-265. (1) The county executive committee of each
168 county shall meet not less than two (2) weeks before the date of
169 any primary election and appoint the poll managers for same, all



170 of whom may be members of the same political party. The number of
171 poll managers appointed by the county executive committee shall be
172 the same number as election commissioners are allowed to appoint
173 pursuant to Sections 23-15-231 and 23-15-235. If the county
174 executive committee fails to meet on the date named, supra,
175 further notice shall be given of the time and place of meeting.

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

187 (b) If it is eligible under Section 23-15-266, the
188 municipal executive committee may enter into a written agreement
189 with the municipal clerk or the municipal election commission
190 authorizing the municipal clerk or the municipal election
191 commission to perform any of the duties required of the municipal
192 executive committee pursuant to this section. Any agreement
193 entered into pursuant to this subsection shall be signed by the
194 chair of the municipal executive committee and the municipal clerk



195 or the chair of the municipal election commission, as appropriate.
196 The municipal executive committee shall notify the state executive
197 committee and the Secretary of State of the existence of such
198 agreement.

199 **SECTION 5.** This act shall take effect and be in force from
200 and after July 1, 2024.

