

By: Representative Sanford

To: Apportionment and
Elections

HOUSE BILL NO. 289

1 AN ACT TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE STAGGERED TERMS OF ELECTION COMMISSIONERS IN
3 DISTRICTS TWO AND FOUR; TO PROVIDE THAT THOSE ELECTION
4 COMMISSIONERS FROM DISTRICTS TWO AND FOUR AND ELECTED IN THE 2027
5 ELECTION SHALL BE ELECTED FOR A THREE-YEAR TERM; TO PROVIDE THAT
6 THOSE ELECTION COMMISSIONERS FROM DISTRICTS TWO AND FOUR SHALL BE
7 ELECTED IN THE 2030 ELECTION SHALL SERVE FOR A FOUR-YEAR TERM AND
8 HAVE A NEW ELECTION EVERY FOUR YEARS THEREAFTER; AND FOR RELATED
9 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 [Until December 31, 2027, this section shall read as
14 follows:]

15 23-15-213. (1) Except as provided in subsection (2) of this
16 section, there shall be elected five (5) election commissioners
17 for each county whose terms of office shall commence on the first
18 Monday of January following their election and who shall serve for
19 a term of four (4) years. Each of the commissioners shall be
20 required to attend a training seminar provided by the Secretary of
21 State and satisfactorily complete a skills assessment, and before



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

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

35 (b) At the general election in * * * 2027, the
36 qualified electors of the board of supervisors' Districts Two and
37 Four shall elect in their district one (1) election commissioner,
38 who shall serve for a term of three (3) years.

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



46 (3) Candidates for county election commissioner shall
47 qualify by filing with the clerk of the board of supervisors of
48 their respective counties a petition personally signed by not less
49 than fifty (50) qualified electors of the supervisor's district in
50 which they reside, requesting that they be a candidate, by 5:00
51 p.m. not later than February 1 of the year in which the election
52 occurs and unless the petition is filed within the required time,
53 their names shall not be placed upon the ballot. All candidates
54 shall declare in writing their party affiliation, if any, to the
55 board of supervisors, and such party affiliation shall be shown on
56 the official ballot.

57 (4) The petition shall have attached thereto a certificate
58 of the county registrar showing the number of qualified electors
59 on each petition, which shall be furnished by the registrar on
60 request. The board shall determine the sufficiency of the
61 petition, and if the petition contains the required number of
62 signatures and is filed within the time required, the president of
63 the board shall verify that the candidate is a resident of the
64 supervisor's district in which he or she seeks election and that
65 the candidate is otherwise qualified as provided by law, and shall
66 certify that the candidate is qualified to the chair or secretary
67 of the county election commission and the names of the candidates
68 shall be placed upon the ballot for the ensuing election. No
69 county election commissioner shall serve or be considered as
70 elected until he or she has received a majority of the votes cast



71 for the position or post for which he or she is a candidate. If a
72 majority vote is not received in the first election, then the two
73 (2) candidates receiving the most votes for each position or post
74 shall be placed upon the ballot for a second election to be held
75 four (4) weeks later in accordance with appropriate procedures
76 followed in other elections involving runoff candidates.

77 (5) In the first meeting in January of each year, the county
78 election commissioners shall organize by electing a chair and a
79 secretary, who shall serve a one-year term. The county election
80 commissioners shall provide the names of the chair and secretary
81 to the Secretary of State and provide notice of any change in
82 officers which may occur during the year.

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

86 **[From and after January 1, 2028, this section shall read as**
87 **follows:]**

88 23-15-213. (1) There shall be elected five (5) election
89 commissioners for each county whose terms of office shall commence
90 on the first Monday of January following their election and who
91 shall serve for a term of four (4) years. Each of the
92 commissioners shall be required to attend a training seminar
93 provided by the Secretary of State and satisfactorily complete a
94 skills assessment, and before acting, shall take and subscribe the
95 oath of office prescribed by the Constitution. The oath shall be



96 filed in the office of the clerk of the chancery court. Upon
97 filing the oath of office, the election commissioner may be
98 provided access to the Statewide Elections Management System for
99 the purpose of performing his or her duties. Such skills
100 assessment shall only be required once every four (4) years.
101 While engaged in their duties, the commissioners shall be
102 conservators of the peace in the county, with all the duties and
103 powers of such.

104 (2) (a) At the general election in 2028 and every four (4)
105 years thereafter, the qualified electors of the board of
106 supervisors' Districts One, Three and Five shall elect in their
107 district one (1) election commissioner.

108 (b) At the general election in 2030 and every four (4)
109 years thereafter, the qualified electors of the board of
110 supervisors' Districts Two and Four shall elect in their district
111 one (1) election commissioner.

112 (c) No more than one (1) commissioner shall be a
113 resident of and reside in each supervisor's district of the
114 county; it being the purpose of this section that the county board
115 of election commissioners shall consist of one (1) person from
116 each supervisor's district of the county and that each
117 commissioner be elected from the supervisor's district in which he
118 or she resides.

119 (3) Candidates for county election commissioner shall
120 qualify by filing with the clerk of the board of supervisors of



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122 than fifty (50) qualified electors of the supervisor's district in
123 which they reside, requesting that they be a candidate, by 5:00
124 p.m. not later than February 1 of the year in which the election
125 occurs and unless the petition is filed within the required time,
126 their names shall not be placed upon the ballot. All candidates
127 shall declare in writing their party affiliation, if any, to the
128 board of supervisors, and such party affiliation shall be shown on
129 the official ballot.

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131 of the county registrar showing the number of qualified electors
132 on each petition, which shall be furnished by the registrar on
133 request. The board shall determine the sufficiency of the
134 petition, and if the petition contains the required number of
135 signatures and is filed within the time required, the president of
136 the board shall verify that the candidate is a resident of the
137 supervisor's district in which he or she seeks election and that
138 the candidate is otherwise qualified as provided by law, and shall
139 certify that the candidate is qualified to the chair or secretary
140 of the county election commission and the names of the candidates
141 shall be placed upon the ballot for the ensuing election. No
142 county election commissioner shall serve or be considered as
143 elected until he or she has received a majority of the votes cast
144 for the position or post for which he or she is a candidate. If a
145 majority vote is not received in the first election, then the two



146 (2) candidates receiving the most votes for each position or post
147 shall be placed upon the ballot for a second election to be held
148 four (4) weeks later in accordance with appropriate procedures
149 followed in other elections involving runoff candidates.

150 (5) In the first meeting in January of each year, the county
151 election commissioners shall organize by electing a chair and a
152 secretary, who shall serve a one-year term. The county election
153 commissioners shall provide the names of the chair and secretary
154 to the Secretary of State and provide notice of any change in
155 officers which may occur during the year.

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

159 **SECTION 2.** This act shall take effect and be in force from
160 and after July 1, 2025.

