

By: Senator(s) Ross

To: County Affairs; Fees,  
Salaries and Administration

SENATE BILL NO. 2032

1 AN ACT TO AMEND SECTION 23-15-227, MISSISSIPPI CODE OF 1972,  
2 TO INCREASE THE COMPENSATION OF PRECINCT MANAGERS AND CLERKS FOR  
3 EACH ELECTION AND TO INCREASE THE COMPENSATION FOR CERTAIN DUTIES  
4 PERFORMED BY ELECTION WORKERS ON THE DAY OF THE ELECTION; TO AMEND  
5 SECTION 23-15-239, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
6 MAXIMUM HOURLY COMPENSATION PAID TO MANAGERS WHO ATTEND CERTAIN  
7 TRAINING SESSIONS; AND FOR RELATED PURPOSES.

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

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

11 23-15-227. \* \* \* Managers \* \* \* shall be each entitled to  
12 One Hundred Twenty-five Dollars (\$125.00) for each election and  
13 clerks shall be each entitled to One Hundred Dollars (\$100.00) for  
14 each election; \* \* \* however, \* \* \* the board of supervisors may,  
15 in its discretion, pay the managers and clerks an additional  
16 amount not to exceed Twenty-five Dollars (\$25.00) per election.  
17 The manager or other person who shall carry to the place of  
18 voting, away from the courthouse, the official ballots, ballot  
19 boxes, pollbooks and other necessities, shall be allowed Fifteen  
20 Dollars (\$15.00) for each voting precinct for so doing. The  
21 manager or other person who acts as returning officer shall be  
22 allowed Fifteen Dollars (\$15.00) for each voting precinct for that  
23 service. The compensation authorized in this section shall be  
24 allowed by the board of supervisors, and shall be payable out of  
25 the county treasury.

26 The compensation provided in this section shall constitute  
27 payment in full for the services rendered by the persons named for  
28 any election, whether there be one (1) election or issue voted

29 upon, or more than one (1) election or issue voted upon at the  
30 same time.

31 **SECTION 2.** Section 23-15-239, Mississippi Code of 1972, is  
32 amended as follows:

33 23-15-239. (1) The executive committee of each county, in  
34 the case of a primary election, or the commissioners of election  
35 of each county, in the case of all other elections, in conjunction  
36 with the circuit clerk, shall sponsor and conduct, not less than  
37 five (5) days prior to each election, training sessions to  
38 instruct managers as to their duties in the proper administration  
39 of the election and the operation of the polling place. No  
40 manager shall serve in any election unless he has received such  
41 instructions once during the twelve (12) months immediately  
42 preceding the date upon which such election is held; however,  
43 nothing in this section shall prevent the appointment of an  
44 alternate manager to fill a vacancy in case of an emergency. The  
45 county executive committee or the commissioners of election, as  
46 appropriate, shall train a sufficient number of alternates to  
47 serve in the event a manager is unable to serve for any reason.

48 (2) (a) If it is eligible under Section 23-15-266, the  
49 county executive committee may enter into a written agreement with  
50 the circuit clerk or the county election commission authorizing  
51 the circuit clerk or the county election commission to perform any  
52 of the duties required of the county executive committee pursuant  
53 to this section. Any agreement entered into pursuant to this  
54 subsection shall be signed by the chairman of the county executive  
55 committee and the circuit clerk or the chairman of the county  
56 election commission, as appropriate. The county executive  
57 committee shall notify the State Executive Committee and the  
58 Secretary of State of the existence of such agreement.

59 (b) If it is eligible under Section 23-15-266, the  
60 municipal executive committee may enter into a written agreement  
61 with the municipal clerk or the municipal election commission

62 authorizing the municipal clerk or the municipal election  
63 commission to perform any of the duties required of the municipal  
64 executive committee pursuant to this section. Any agreement  
65 entered into pursuant to this subsection shall be signed by the  
66 chairman of the municipal executive committee and the municipal  
67 clerk or the chairman of the municipal election commission, as  
68 appropriate. The municipal executive committee shall notify the  
69 State Executive Committee and the Secretary of State of the  
70 existence of such agreement.

71 (3) The board of supervisors, in their discretion, may  
72 compensate managers who attend such training sessions. The  
73 compensation shall be at a rate of not less than the federal  
74 hourly minimum wage nor more than Fifteen Dollars (15.00) per  
75 hour. Managers shall not be compensated for more than two (2)  
76 hours of attendance at the training sessions regardless of the  
77 actual amount of time that they attended the training sessions.

78 (4) The time and location of the training sessions required  
79 pursuant to this section shall be announced to the general public  
80 by posting a notice thereof at the courthouse and by delivering a  
81 copy of the notice to the office of a newspaper having general  
82 circulation in the county five (5) days before the date upon which  
83 the training session is to be conducted. Persons who will serve  
84 as poll watchers for candidates and political parties, as well as  
85 members of the general public, shall be allowed to attend the  
86 sessions.

87 (5) Subject to the following annual limitations, the  
88 commissioners of election shall be entitled to receive a per diem  
89 in the amount of Eighty-four Dollars (\$84.00), to be paid from the  
90 county general fund, for every day or period of no less than five  
91 (5) hours accumulated over two (2) or more days actually employed  
92 in the performance of their duties for the necessary time spent in  
93 conducting training sessions as required by this section:

94 (a) In counties having less than fifteen thousand  
95 (15,000) residents according to the latest federal decennial  
96 census, not more than five (5) days per year;

97 (b) In counties having fifteen thousand (15,000)  
98 residents according to the latest federal decennial census but  
99 less than thirty thousand (30,000) residents according to the  
100 latest federal decennial census, not more than eight (8) days per  
101 year;

102 (c) In counties having thirty thousand (30,000)  
103 residents according to the latest federal decennial census but  
104 less than seventy thousand (70,000) residents according to the  
105 latest federal decennial census, not more than ten (10) days per  
106 year;

107 (d) In counties having seventy thousand (70,000)  
108 residents according to the latest federal decennial census but  
109 less than ninety thousand (90,000) residents according to the  
110 latest federal decennial census, not more than twelve (12) days  
111 per year;

112 (e) In counties having ninety thousand (90,000)  
113 residents according to the latest federal decennial census but  
114 less than one hundred seventy thousand (170,000) residents  
115 according to the latest federal decennial census, not more than  
116 fifteen (15) days per year;

117 (f) In counties having one hundred seventy thousand  
118 (170,000) residents according to the latest federal decennial  
119 census but less than two hundred thousand (200,000) residents  
120 according to the latest federal decennial census, not more than  
121 eighteen (18) days per year;

122 (g) In counties having two hundred thousand (200,000)  
123 residents according to the latest federal decennial census but  
124 less than two hundred twenty-five thousand (225,000) residents  
125 according to the latest federal decennial census, not more than  
126 nineteen (19) days per year;

127           (h) In counties having two hundred twenty-five thousand  
128 (225,000) residents according to the latest federal decennial  
129 census but less than two hundred fifty thousand (250,000)  
130 residents according to the latest federal decennial census, not  
131 more than twenty-two (22) days per year;

132           (i) In counties having two hundred fifty thousand  
133 (250,000) residents according to the latest federal decennial  
134 census but less than two hundred seventy-five thousand (275,000)  
135 residents according to the latest federal decennial census, not  
136 more than thirteen (13) days per year;

137           (j) In counties having two hundred seventy-five  
138 thousand (275,000) residents according to the latest federal  
139 decennial census or more, not more than fourteen (14) days per  
140 year.

141           (6) Commissioners of election shall claim the per diem  
142 authorized in subsection (5) of this section in the manner  
143 provided for in Section 23-15-153(6).

144           **SECTION 3.** The Attorney General of the State of Mississippi  
145 shall submit this act, immediately upon approval by the Governor,  
146 or upon approval by the Legislature subsequent to a veto, to the  
147 Attorney General of the United States or to the United States  
148 District Court for the District of Columbia in accordance with the  
149 provisions of the Voting Rights Act of 1965, as amended and  
150 extended.

151           **SECTION 4.** This act shall take effect and be in force from  
152 and after the date it is effectuated under Section 5 of the Voting  
153 Rights Act of 1965, as amended and extended.