

By: Senator(s) Tate

To: Elections;  
Accountability, Efficiency,  
Transparency

SENATE BILL NO. 2610

1 AN ACT TO CREATE NEW SECTION 23-15-615, MISSISSIPPI CODE OF  
2 1972, TO AUTHORIZE THE SECRETARY OF STATE TO AUDIT ELECTION  
3 PROCEDURES IN THE COUNTIES OF THIS STATE; TO REQUIRE THE REGISTRAR  
4 OF EACH COUNTY TO SUBMIT CERTAIN TOTALS TO THE SECRETARY OF STATE  
5 WITHIN A PERIOD OF DAYS AFTER AN ELECTION; TO AUTHORIZE THE  
6 SECRETARY OF STATE TO CONDUCT AN AUDIT IF A DISCREPANCY IN THE  
7 SUBMITTED TOTALS MEETS OR EXCEEDS ENUMERATED THRESHOLDS; TO  
8 REQUIRE RANDOM AUDITS; TO PROVIDE CERTAIN PROCEDURES FOR THE  
9 AUDIT; TO CREATE NEW SECTION 23-15-617, MISSISSIPPI CODE OF 1972,  
10 TO AUTHORIZE A RISK-LIMITING AUDIT FOR ELECTIONS THAT OCCUR AFTER  
11 AUGUST 31, 2026; TO REQUIRE THE ELECTION COMMISSIONERS IN  
12 CONJUNCTION WITH THE REGISTRARS TO CONDUCT AN AUDIT UPON THE  
13 SELECTION OF THE SECRETARY OF STATE; TO AUTHORIZE THE SECRETARY OF  
14 STATE TO SET CERTAIN RISK-LIMITING THRESHOLDS; TO REQUIRE A MANUAL  
15 RECOUNT OF AN ELECTION IN THE EVENT OF A DIFFERENCE BETWEEN THE  
16 TABULATION FROM THE MANUAL RECOUNT AND THE TABULATION REPORTED  
17 FROM A VOTING SYSTEM; TO PROVIDE PROCEDURES FOR THE RISK-LIMITING  
18 AUDIT; TO DEFINE THE TERM "AUDITABLE VOTING SYSTEM"; TO PROVIDE  
19 WHICH RECORD IS THE OFFICIAL RECORD OF THE VOTE CAST IN THE EVENT  
20 OF A RISK-LIMITING AUDIT; TO AUTHORIZE A PILOT PROGRAM FOR AT  
21 LEAST FIVE COUNTIES BEGINNING WITH THE ELECTION TAKING PLACE ON  
22 NOVEMBER 8, 2022; TO AMEND SECTIONS 23-15-153 AND 23-15-603,  
23 MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 23-15-613,  
24 MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT REQUIRES  
25 CERTAIN ELECTION OFFICIALS TO REPORT RESIDUAL VOTES TO THE  
26 SECRETARY OF STATE; AND FOR RELATED PURPOSES.

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

28 **SECTION 1.** The following shall be codified as Section  
29 23-15-615, Mississippi Code of 1972:



30           23-15-615. (1) The Secretary of State is authorized to  
31 audit election procedures in the counties of this state. The  
32 Secretary of State may, in order to fulfill the requirements of  
33 this section, enter into an agreement with a third party for the  
34 conduction of a post-election audit.

35           (2) (a) The registrar of each county shall, within ten (10)  
36 days after a primary or general election, submit to the Secretary  
37 of State:

38                           (i) The total number of voters marked as VOTED in  
39 the poll book of each precinct in the county;

40                           (ii) The sum of the total number of voters who  
41 signed the receipt book at the polling place on election day and  
42 the total number of voters who cast an absentee ballot;

43                           (iii) The total number of ballots received by the  
44 poll manager from local election officials;

45                           (iv) The sum of the total number of paper ballots  
46 voted on election day, the number of unused ballots, and the  
47 number of spoiled ballots;

48                           (v) The total number of electronic ballots cast;  
49 and

50                           (vi) The total number of ballots cast.

51           (b) If a discrepancy meets or exceeds the threshold set  
52 forth in paragraph (c) of this subsection, the Secretary of State  
53 may conduct an audit in that county.



54 (c) A discrepancy occurs if the difference between the  
55 reported totals in paragraph (a) of this subsection meet or  
56 exceed:

57 (i) One (1), if the total number of total votes  
58 cast in a precinct is not more than twenty (20).

59 (ii) Two (2), if the total number of total votes  
60 cast in a precinct is:

- 61 1. More than twenty (20); but
- 62 2. Not more than forty (40).

63 (iii) Three (3), if the total number of total  
64 votes cast in a precinct is:

- 65 1. More than forty (40); but
- 66 2. Not more than sixty (60).

67 (iv) Four (4), if the total number of total votes  
68 cast in a precinct is:

- 69 1. More than sixty (60); but
- 70 2. Not more than eighty (80).

71 (v) Three percent (3%) of the total number of  
72 total votes cast, rounded up to the nearest whole number, if the  
73 total number of total votes cast in a precinct is:

- 74 1. More than eighty (80); but
- 75 2. Not more than five hundred (500).

76 (vi) Fifteen (15), if the total number of total  
77 votes cast in a precinct is more than five hundred (500).



78           (d) The audit shall begin no earlier than thirty (30)  
79 days and no later than ninety (90) days after the regularly  
80 scheduled general or special election.

81           (3) (a) The Secretary of State shall randomly select and  
82 audit each county over a four-year period.

83           (b) No county shall be selected for audit if that  
84 county has been audited in the last four (4) years unless an audit  
85 is triggered pursuant to subsection (2) of this section.

86           (c) The Secretary of State shall select the precinct(s)  
87 to be audited in each county.

88           (4) The Secretary of State shall not conduct an audit under  
89 this section at any precinct in which an election occurred that is  
90 subject to an elections challenge that has commenced under Section  
91 23-15-927, 23-15-951 or 23-15-955.

92           (5) (a) No later than one hundred twenty (120) days after  
93 the election that the Secretary of State is auditing, the  
94 Secretary of State shall post a report of any completed audit on  
95 the official website of the Secretary of State. The registrar of  
96 the affected county may post the results of the completed audit on  
97 the official website of the county.

98           (b) Not later than one hundred fifty (150) days after  
99 the election, the Secretary of State shall submit a report to the  
100 Governor, Lieutenant Governor and Speaker of the House of  
101 Representatives analyzing the reports required to be filed  
102 pursuant paragraph (a) of this subsection.



103           (c) In the event that the Secretary of State, in the  
104           conduction of an audit, finds that the length of time to conduct  
105           an audit should be extended, he or she may certify that such need  
106           exists and post the certification to the website of the Secretary  
107           of State.

108           (d) Any documents, materials, notes or communications  
109           used in the preparation of the reports provided for in this  
110           subsection shall be exempt from and shall not be subject to  
111           inspection, examination, copying or reproduction under the  
112           Mississippi Public Records Act of 1983.

113           (6) The Secretary of State shall promulgate administrative  
114           rules to carry out the provisions of this act.

115           **SECTION 2.** The following shall be codified as Section  
116           23-15-617, Mississippi Code of 1972:

117           23-15-617. **Risk-limiting audit.** (1) This section applies  
118           to an election:

119                   (a) That occurs after August 31, 2026;

120                   (b) That contains a race or measure that is voted on  
121           statewide; and

122                   (c) In which an auditable voting system described by  
123           subsection (5) of this section is used.

124           (2) (a) Not later than twenty-four (24) hours after all  
125           ballots have been counted in an election, the election  
126           commissioners, in conjunction with the registrar, shall conduct a  
127           risk-limiting audit for a selected statewide race or measure.



128           (b) The Secretary of State shall select, in accordance  
129 with rules adopted by the secretary, the office or proposition to  
130 be audited.

131           (c) The election commissioners, in conjunction with the  
132 registrar, shall complete the audit before the certification of  
133 the election pursuant to Section 23-15-603.

134           (d) If the audit provides that the ballots cast in the  
135 election do not meet the risk-limiting threshold, with the  
136 threshold being set by administrative rule by the Secretary of  
137 State under subsection (3) of this section, the election  
138 commissioners must conduct a manual recount of the election. In  
139 the event the tabulation from the manual recount differs from that  
140 of the tabulation reported from the auditable voting systems, the  
141 tabulation from the manual recount shall be the certified results.

142           (e) The election commissioners, in conjunction with the  
143 registrar, shall publish notice of the date, hour, and place of  
144 the audit in the courthouse and on the county's website, if the  
145 county maintains a website.

146           (f) A watcher may be present for the audit if appointed  
147 by a candidate whose name is on the ballot in a race audited. A  
148 watcher must present credentials to the election commissioners or  
149 registrar at the time the watcher reports for service. The  
150 certificate must be in writing and must include any information  
151 also required by Section 23-15-577.



152 (g) The Secretary of State may appoint personnel to  
153 assist with the audit, including applicable voting system  
154 technicians or representatives and persons who have assisted with  
155 the design and implementation of the audit.

156 (3) (a) The Secretary of State shall adopt rules  
157 prescribing procedures necessary to implement this section.

158 (b) Rules adopted under this section must include a  
159 rule, using widely accepted statistical methods, that provides for  
160 the number or percentage of paper records that must be counted in  
161 a risk-limiting audit under subsection (2) of this section.

162 (4) The results of a risk-limiting audit conducted under  
163 this section must be published on the website of the Secretary of  
164 State not later than three (3) days after the completion of the  
165 audit.

166 (5) (a) As used in this section, "auditable voting system"  
167 means a voting system that:

168 (i) Uses, creates, or displays a paper record that  
169 may be read by the voter; and

170 (ii) Is not capable of being connected to the  
171 internet or any other computer network or electronic device.

172 (b) The electronic vote is the official record of the  
173 vote cast if a risk-limiting audit conducted under subsection (2)  
174 of this section produces strong evidence that the reported outcome  
175 of the election matches the results that a full counting of the  
176 paper records would reveal.



177 (c) The paper record is the official record of the vote  
178 cast if a risk-limiting audit conducted under subsection (2) of  
179 this section fails to produce strong evidence that the reported  
180 outcome of the election matches the results that a full counting  
181 of the paper records would reveal.

182 (6) The Secretary of State shall adopt rules as necessary to  
183 implement this section.

184 (7) (a) Notwithstanding subsection (1)(a) of this section,  
185 the Secretary of State shall conduct a pilot program, beginning  
186 with the election taking place November 8, 2022, of the  
187 Risk-Limiting Audit Program created under this section.

188 (b) The Secretary of State shall select at least five  
189 (5) counties to participate in the pilot program.

190 (c) After each election conducted under the pilot  
191 program, the Secretary of State shall send a detailed report to  
192 the Governor, Lieutenant Governor, Speaker of the House of  
193 Representatives, Chairman of the Senate Elections Committee, and  
194 Chairman of the House Committee on Elections and Apportionment  
195 evaluating the success of the program and making a recommendation  
196 as to whether the Legislature should act to delay the statewide  
197 implementation of the program.

198 (d) This subsection shall stand repealed on September  
199 31, 2026.

200 **SECTION 3.** Section 23-15-153, Mississippi Code of 1972, is  
201 amended as follows:





202           23-15-153. (1) At least during the following times, the  
203 election commissioners shall meet at the office of the registrar  
204 or the office of the election commissioners to carefully revise  
205 the county voter roll as electronically maintained by the  
206 Statewide Elections Management System and remove from the roll the  
207 names of all voters who have requested to be purged from the voter  
208 roll, died, received an adjudication of non compos mentis, been  
209 convicted of a disenfranchising crime, or otherwise become  
210 disqualified as electors for any cause, and shall register the  
211 names of all persons who have duly applied to be registered but  
212 have been illegally denied registration:

213           (a) On the Tuesday after the second Monday in January  
214 1987 and every following year;

215           (b) On the first Tuesday in the month immediately  
216 preceding the first primary election for members of Congress in  
217 the years when members of Congress are elected;

218           (c) On the first Monday in the month immediately  
219 preceding the first primary election for state, state district  
220 legislative, county and county district offices in the years in  
221 which those offices are elected; and

222           (d) On the second Monday of September preceding the  
223 general election or regular special election day in years in which  
224 a general election is not conducted.

225           Except for the names of those voters who are duly qualified  
226 to vote in the election, no name shall be permitted to remain in



227 the Statewide Elections Management System; however, no name shall  
228 be purged from the Statewide Elections Management System based on  
229 a change in the residence of an elector except in accordance with  
230 procedures provided for by the National Voter Registration Act of  
231 1993. Except as otherwise provided by Section 23-15-573, no  
232 person shall vote at any election whose name is not in the county  
233 voter roll electronically maintained by the Statewide Elections  
234 Management System.

235 (2) Except as provided in this section, and subject to the  
236 following annual limitations, the election commissioners shall be  
237 entitled to receive a per diem in the amount of One Hundred  
238 Dollars (\$100.00), to be paid from the county general fund, for  
239 every day or period of no less than five (5) hours accumulated  
240 over two (2) or more days actually employed in the performance of  
241 their duties in the conduct of an election or actually employed in  
242 the performance of their duties for the necessary time spent in  
243 the revision of the county voter roll as electronically maintained  
244 by the Statewide Elections Management System as required in  
245 subsection (1) of this section:

246 (a) In counties having less than fifteen thousand  
247 (15,000) residents according to the latest federal decennial  
248 census, not more than fifty (50) days per year, with no more than  
249 fifteen (15) additional days allowed for the conduct of each  
250 election in excess of one (1) occurring in any calendar year;



251 (b) In counties having fifteen thousand (15,000)  
252 residents according to the latest federal decennial census but  
253 less than thirty thousand (30,000) residents according to the  
254 latest federal decennial census, not more than seventy-five (75)  
255 days per year, with no more than twenty-five (25) additional days  
256 allowed for the conduct of each election in excess of one (1)  
257 occurring in any calendar year;

258 (c) In counties having thirty thousand (30,000)  
259 residents according to the latest federal decennial census but  
260 less than seventy thousand (70,000) residents according to the  
261 latest federal decennial census, not more than one hundred (100)  
262 days per year, with no more than thirty-five (35) additional days  
263 allowed for the conduct of each election in excess of one (1)  
264 occurring in any calendar year;

265 (d) In counties having seventy thousand (70,000)  
266 residents according to the latest federal decennial census but  
267 less than ninety thousand (90,000) residents according to the  
268 latest federal decennial census, not more than one hundred  
269 twenty-five (125) days per year, with no more than forty-five (45)  
270 additional days allowed for the conduct of each election in excess  
271 of one (1) occurring in any calendar year;

272 (e) In counties having ninety thousand (90,000)  
273 residents according to the latest federal decennial census but  
274 less than one hundred seventy thousand (170,000) residents  
275 according to the latest federal decennial census, not more than



276 one hundred fifty (150) days per year, with no more than  
277 fifty-five (55) additional days allowed for the conduct of each  
278 election in excess of one (1) occurring in any calendar year;

279 (f) In counties having one hundred seventy thousand  
280 (170,000) residents according to the latest federal decennial  
281 census but less than two hundred thousand (200,000) residents  
282 according to the latest federal decennial census, not more than  
283 one hundred seventy-five (175) days per year, with no more than  
284 sixty-five (65) additional days allowed for the conduct of each  
285 election in excess of one (1) occurring in any calendar year;

286 (g) In counties having two hundred thousand (200,000)  
287 residents according to the latest federal decennial census but  
288 less than two hundred twenty-five thousand (225,000) residents  
289 according to the latest federal decennial census, not more than  
290 one hundred ninety (190) days per year, with no more than  
291 seventy-five (75) additional days allowed for the conduct of each  
292 election in excess of one (1) occurring in any calendar year;

293 (h) In counties having two hundred twenty-five thousand  
294 (225,000) residents according to the latest federal decennial  
295 census but less than two hundred fifty thousand (250,000)  
296 residents according to the latest federal decennial census, not  
297 more than two hundred fifteen (215) days per year, with no more  
298 than eighty-five (85) additional days allowed for the conduct of  
299 each election in excess of one (1) occurring in any calendar year;



300 (i) In counties having two hundred fifty thousand  
301 (250,000) residents according to the latest federal decennial  
302 census but less than two hundred seventy-five thousand (275,000)  
303 residents according to the latest federal decennial census, not  
304 more than two hundred thirty (230) days per year, with no more  
305 than ninety-five (95) additional days allowed for the conduct of  
306 each election in excess of one (1) occurring in any calendar year;

307 (j) In counties having two hundred seventy-five  
308 thousand (275,000) residents according to the latest federal  
309 decennial census or more, not more than two hundred forty (240)  
310 days per year, with no more than one hundred five (105) additional  
311 days allowed for the conduct of each election in excess of one (1)  
312 occurring in any calendar year.

313 (3) In addition to the number of days authorized in  
314 subsection (2) of this section, the board of supervisors of a  
315 county may authorize, in its discretion, the election  
316 commissioners to receive a per diem in the amount provided for in  
317 subsection (2) of this section, to be paid from the county general  
318 fund, for every day or period of no less than five (5) hours  
319 accumulated over two (2) or more days actually employed in the  
320 performance of their duties in the conduct of an election or  
321 actually employed in the performance of their duties for the  
322 necessary time spent in the revision of the county voter roll as  
323 electronically maintained by the Statewide Elections Management



324 System as required in subsection (1) of this section, not to  
325 exceed five (5) days.

326 (4) (a) The election commissioners shall be entitled to  
327 receive a per diem in the amount of One Hundred Dollars (\$100.00),  
328 to be paid from the county general fund, not to exceed ten (10)  
329 days for every day or period of no less than five (5) hours  
330 accumulated over two (2) or more days actually employed in the  
331 performance of their duties for the necessary time spent in the  
332 revision of the county voter roll as electronically maintained by  
333 the Statewide Elections Management System before any special  
334 election. For purposes of this paragraph, the regular special  
335 election day shall not be considered a special election. The  
336 annual limitations set forth in subsection (2) of this section  
337 shall not apply to this paragraph.

338 (b) The election commissioners shall be entitled to  
339 receive a per diem in the amount of One Hundred Fifty Dollars  
340 (\$150.00), to be paid from the county general fund, for the  
341 performance of their duties on the day of any primary, runoff,  
342 general or special election. The annual limitations set forth in  
343 subsection (2) of this section shall apply to this paragraph.

344 (c) The board of supervisors may, in its discretion,  
345 pay the election commissioners an additional amount not to exceed  
346 Fifty Dollars (\$50.00) for the performance of their duties at any  
347 election occurring from July 1, 2020, through December 31, 2020,  
348 which shall be considered additional pandemic pay. Such



349 compensation shall be payable out of the county general fund, and  
350 may be payable from federal funds available for such purpose, or a  
351 combination of both funding sources.

352 (5) The election commissioners shall be entitled to receive  
353 a per diem in the amount of One Hundred Dollars (\$100.00), to be  
354 paid from the county general fund, not to exceed fourteen (14)  
355 days for every day or period of no less than five (5) hours  
356 accumulated over two (2) or more days actually employed in the  
357 performance of their duties for the necessary time spent in the  
358 revision of the county voter roll as electronically maintained by  
359 the Statewide Elections Management System and in the conduct of a  
360 runoff election following either a general or special election.

361 (6) The election commissioners shall be entitled to receive  
362 only one (1) per diem payment for those days when the election  
363 commissioners discharge more than one (1) duty or responsibility  
364 on the same day.

365 (7) The election commissioners shall be entitled to receive  
366 a per diem in the amount of One Hundred Fifty Dollars (\$150.00),  
367 to be paid from the county general fund for the dates when the  
368 election commissioners conduct a recount of an election, as  
369 required by Section 23-15-617.

370 ( \* \* \*8) In preparation for a municipal primary, runoff,  
371 general or special election, the county registrar shall generate  
372 and distribute the master voter roll and pollbooks from the  
373 Statewide Elections Management System for the municipality located



374 within the county. The municipality shall pay the county  
375 registrar for the actual cost of preparing and printing the  
376 municipal master voter roll pollbooks. A municipality may secure  
377 "read only" access to the Statewide Elections Management System  
378 and print its own pollbooks using this information.

379 ( \* \* \*9) County election commissioners who perform the  
380 duties of an executive committee with regard to the conduct of a  
381 primary election under a written agreement authorized by law to be  
382 entered into with an executive committee shall receive per diem as  
383 provided for in subsection (2) of this section. The days that  
384 county election commissioners are employed in the conduct of a  
385 primary election shall be treated the same as days county election  
386 commissioners are employed in the conduct of other elections.

387 ( \* \* \*10) In addition to any per diem authorized by this  
388 section, any election commissioner shall be entitled to the  
389 mileage reimbursement rate allowable to federal employees for the  
390 use of a privately owned vehicle while on official travel on  
391 election day.

392 ( \* \* \*11) Every election commissioner shall sign personally  
393 a certification setting forth the number of hours actually worked  
394 in the performance of the commissioner's official duties and for  
395 which the commissioner seeks compensation. The certification must  
396 be on a form as prescribed in this subsection. The commissioner's  
397 signature is, as a matter of law, made under the commissioner's  
398 oath of office and under penalties of perjury.





399 The certification form shall be as follows:

400 **COUNTY ELECTION COMMISSIONER**

401 **PER DIEM CLAIM FORM**

402 NAME: \_\_\_\_\_ COUNTY: \_\_\_\_\_

403 ADDRESS: \_\_\_\_\_ DISTRICT: \_\_\_\_\_

404 CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

405		PURPOSE	APPLICABLE	ACTUAL	PER DIEM
406	DATE	BEGINNING	ENDING	OF	MS CODE
407	WORKED	TIME	TIME	WORK	SECTION
408	_____				
409	_____				
410	_____				

411 TOTAL NUMBER OF PER DIEM DAYS EARNED

412 EXCLUDING ELECTION DAYS \_\_\_\_\_

413 PER DIEM RATE PER DAY EARNED X \$100.00

414 TOTAL NUMBER PER DIEM DAYS EARNED

415 FOR ELECTION DAYS \_\_\_\_\_

416 PER DIEM RATE PER DAY EARNED X \$150.00

417 TOTAL AMOUNT OF PER DIEM CLAIMED \$ \_\_\_\_\_

418 I understand that I am signing this document under my oath as  
419 an election commissioner and under penalties of perjury.

420 I understand that I am requesting payment from taxpayer funds  
421 and that I have an obligation to be specific and truthful as to  
422 the amount of hours worked and the compensation I am requesting.

423 Signed this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.



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Commissioner's Signature

When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon the oral or written request of any person.

Any person may contest the accuracy of the certification in any respect by notifying the chair of the commission, any member of the board of supervisors or the clerk of the board of supervisors of the contest at any time before or after payment is made. If the contest is made before payment is made, no payment shall be made as to the contested certificate until the contest is finally disposed of. The person filing the contest shall be entitled to a full hearing, and the clerk of the board of supervisors shall issue subpoenas upon request of the contestor compelling the attendance of witnesses and production of documents and things. The contestor shall have the right to appeal de novo to the circuit court of the involved county, which appeal must be perfected within thirty (30) days from a final decision of the commission, the clerk of the board of supervisors or the board of supervisors, as the case may be.

Any contestor who successfully contests any certification will be awarded all expenses incident to his or her contest, together with reasonable attorney's fees, which will be awarded



449 upon petition to the chancery court of the involved county upon  
450 final disposition of the contest before the election commission,  
451 board of supervisors, clerk of the board of supervisors, or, in  
452 case of an appeal, final disposition by the court. The  
453 commissioner against whom the contest is decided shall be liable  
454 for the payment of the expenses and attorney's fees, and the  
455 county shall be jointly and severally liable for same.

456 (11) Any election commissioner who has not received a  
457 certificate issued by the Secretary of State pursuant to Section  
458 23-15-211 indicating that the election commissioner has received  
459 the required elections seminar instruction and that the election  
460 commissioner is fully qualified to conduct an election, shall not  
461 receive any compensation authorized by this section or Section  
462 23-15-239.

463 **SECTION 4.** Section 23-15-603, Mississippi Code of 1972, is  
464 amended as follows:

465 23-15-603. (1) The election commissioners shall, within ten  
466 (10) days after the general election, transmit to the Secretary of  
467 State, to be filed in his or her office, a statement of the whole  
468 number of votes given in their county and the whole number of  
469 votes given in each precinct in their county, for each candidate  
470 for any office at the election; but the returns of every election  
471 for Governor, Lieutenant Governor, Secretary of State, Attorney  
472 General, Auditor of Public Accounts, State Treasurer, Commissioner  
473 of Insurance and other state officers, shall each be made out



474 separately, sealed up together and transmitted to the seat of  
475 government, directed to the Secretary of State, and endorsed the  
476 "VOTE FOR STATE OFFICERS," to be delivered by the Secretary of  
477 State to the Speaker of the House of Representatives at the next  
478 ensuing session of the Legislature. In addition to the other  
479 information required pursuant to this subsection, the returns for  
480 state officers shall contain a statement of the whole number of  
481 votes given in each House of Representative district or portion  
482 thereof for each candidate for state office at the election.

483 (2) Constitutional amendments shall be voted for at the time  
484 fixed by the concurrent resolution. The election, whether held  
485 separately or with other elections, shall be conducted, in all  
486 respects, as required for elections generally. The election  
487 commissioners shall, within ten (10) days after the election,  
488 transmit to the Secretary of State a statement of the whole number  
489 of votes given in their county and the whole number of votes given  
490 in each precinct in their county for or against constitutional  
491 amendments.

492 (3) The statements certified by the election commissioners  
493 and transmitted to the Secretary of State, as required by this  
494 section, shall be tabulated by the Secretary of State and  
495 submitted to each branch of the Legislature, at the session next  
496 ensuing. Certified county vote totals shall represent the final  
497 results of the election.



498 (4) The statements required by this section shall contain a  
499 certification, signed and dated by a majority of the election  
500 commissioners, which shall read as follows:

501 "We, the undersigned election commissioners, do  
502 hereby certify that this statement of the whole number  
503 of votes contains the official vote for the election  
504 reflected therein."

505 (5) The statements required by this section shall be  
506 transmitted to the Secretary of State on such forms and by such  
507 methods as may be required by rules and regulations promulgated by  
508 the Secretary of State.

509 (6) Notwithstanding the ten-day deadlines in subsections (1)  
510 and (2) of this section, in the event that a risk-limiting audit  
511 requires that an election be manually recounted by the county  
512 election commissioners, the county election commissioners shall  
513 transmit the results to the Secretary of State no later than five  
514 (5) business days. The transmission of results under this  
515 subsection (6) shall conform to all other requirements set forth  
516 in this section.

517 **SECTION 5.** Section 23-15-613, Mississippi Code of 1972,  
518 which is the provision that requires certain election officials to  
519 report residual votes to the Secretary of State, is hereby  
520 repealed.

521 **SECTION 6.** This act shall take effect and be in force from  
522 and after July 1, 2022.

