

DUTIES OF ELECTION COMMISSIONERS

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DELBERT HOSEMANN
Secretary of State

Once Elected

- Upon taking office, the County Board of Election Commissioners shall organize by electing a chairman and a secretary.
- It is the duty of the chairman to have the official ballot printed and distributed at each general or special election.

Reference: Miss. Code Ann. § 23-15-213



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Purge and Revise Poll Books

- One of the most important duties of Election Commissions is maintaining accurate voter rolls and pollbooks.
- Voter roll maintenance is an ongoing duty of the Election Commission and should be performed throughout the year, subject to the maximum number of days for which they are allowed to be compensated. Miss. Code Ann. § 23-15-153 provides certain days upon which the Election Commission must meet to purge the rolls.

Reference: Miss. Code Ann. § 23-15-153



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Revision of Registration Books and Pollbooks

- Election Commissioners shall meet at the office of the registrar and carefully revise the registration books and the pollbooks, and erase from those books the names of all person erroneously on the books, or who have died, removed or become disqualified as electors from any cause.
- Election Commissioners shall register the names of all persons who have duly applied to be registered and have been illegally denied registration.

Reference: Miss. Code Ann. § 23-15-153



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Revision of Registration Books and Pollbooks

- When an elector is disqualified from voting, Election Commissioners record the reason for the removal of his name from the voter registration books and erase his name from the rolls.
- Criminal rolls are compared to the voter registration rolls by the Election Commissioners
- The names of the persons convicted of disenfranchising crimes must be erased from the voter registration records by the Election Commissioners.

References: Miss. Code Ann. §§ 23-15-19; 23-15-125; 23-15-151



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Automatic Review

- In the event an applicant is not registered, there shall be an automatic review by the County Election Commissioners under the procedures provided in Sections 23-15-61 through 23-15-79.
- It is not the purpose of this section to indicate the decision which should be reached by the election commissioners, but to define which applicants should receive further examination by providing for an automatic review.

Reference: Miss. Code Ann. § 23-15-43



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Notice of Registration Denial

- In the event that registration is denied pending automatic review by the county election commissions, the registrar shall immediately inform the applicant that the registration is denied and advise the applicant of the date, time, and place of the next meeting of the election commission.
- At which time the applicant may present such evidence either in person or in writing as he deems pertinent to the question of residency.

Reference: Miss. Code Ann. § 23-15-45



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Appeal By Person Denied Registration

- Any person denied the right to register as a voter may appeal from the decision of the registrar to the Board of Election Commissioners by filing with the registrar, on the same day of such denial or within five (5) days thereafter, a written application for appeal.

Reference: Miss. Code Ann. § 23-15-61



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Determination of Appeals

- The Board of Election Commissioners shall meet at the courthouse of its county on the second Monday in September preceding any general election.
- The Election Commissioners shall hear and determine all appeals from the decisions of the registrar of their county, allowing or refusing the applications of electors to be registered.

Reference: Miss. Code Ann. § 23-15-65



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Bill of Exceptions

- Any elector aggrieved by the decision of the Election Commission shall have the right to file a *bill of exceptions*, to be approved and signed by the Election Commissioners within two (2) days after the rendition of the decision.
- The elector may appeal to the circuit court upon the execution of a bond
 - Two (2) or more sufficient sureties to be approved by the Election Commissioners (\$100)
 - Conditioned to pay all costs in case the appeal shall not be successfully prosecuted.
 - In case the decision of the Election Commission is affirmed, judgment shall be entered on the bond for all costs.

Reference: Miss. Code Ann. § 23-15-71



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Duty of Commission Upon Appeal

- In case of appeal from their decision, the Election Commission shall return the *bill of exceptions* and the appeal bond into the circuit court of the county within five (5) days after the filing of the same with them.
- The circuit courts shall have jurisdiction to hear and determine these appeals.

Reference: Miss. Code Ann. § 23-15-73



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Alteration of Boundaries

- Once notified by the board of supervisors in a change in boundaries, Election Commissioners shall at once cause the registration books of voting precincts affected to be changed as to conform to the change of districts, and to contain only the names of the qualified electors in the voting precincts as made by the change of the boundaries.

Reference: Miss. Code Ann. § 23-15-283



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Conducting Elections

- County election commissioners are responsible for conducting all general and special elections.
- The only exception to conducting a general election is if there is only one (1) person duly qualified for each and every office on the general election ballot, the the election for all offices on the ballot shall be dispensed with, and the appropriate election commission shall declare each candidate elected without opposition if the candidate meets all requirements and qualifications to hold the office as determined by the election commission and filed all required campaign finance disclosure reports.

Reference: Miss. Code Ann. § 23-15-359(9)



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Conducting Elections

- A county executive committee shall be eligible to enter into written agreements with the Circuit Clerk or County Election Commission to perform certain specified statutory duties in a primary election.

Reference: Miss. Code Ann. § 23-15-266



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Written Agreements

- The six (6) major duties concerning primary elections that may be performed by County Election Commissions or Circuit Clerks following the timely signing of such agreements are:
 - Appointing of poll managers
 - Training of poll managers
 - Distributing ballot boxes
 - Printing of ballots
 - Distributing ballots to poll managers; and
 - Canvassing and certifying the election.



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Determining Candidate Qualifications

- The Election Commission in general and special elections shall determine whether each candidate is:
 - A qualified elector of the state, state district, county or county district they seek to serve:
 - Meets all other qualification to hold the office he is seeking or presents absolute proof that he will, subject to no contingencies, meet all qualifications on or before the date of the general or special election;
 - Has been convicted of any felony in a court of this state of any offense in another state which is a felony under the laws of this state, or has been convicted in a federal court on or after 12/8/92.

Reference: Miss. Code Ann. § 23-15-359(8)



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Demonstration of Voting System

- The officials in charge of the election shall place on public exhibition and demonstration the use of the voting system throughout the county and offer a series of demonstrations and organized voter education initiatives to educate electors on how to use the voting system.

Reference: Miss. Code Ann. § 23-15-531.7



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Appointing Poll Managers

- Election Commissioners shall appoint a minimum of three (3) poll managers to be designated managers for each precinct. The managers of general or special election cannot all be of the same political party if suitable persons of different political parties can be found.
- One of the appointed managers shall be designated by the commissioners of election as election bailiff.
- If commissioners fail to appoint a bailiff, then the managers appoint one from among their number.

References: Miss. Code Ann. § 23-15-231; 23-15-241



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Appointing Additional Poll Managers

- Election Commissioners may, in their discretion, appoint additional poll managers based on the number of registered voters in the given precinct. (Miss. Code Ann. § 23-15-235)

Registered Voters in a Precinct	Minimum Number of Poll Managers	Number of Optional Poll Managers	Maximum Number of Poll Managers
0-500	3	3	6
501-1500	3	6	9
1501-2500	3	9	12
2501-3500	3	12	15
3501-4500	3	15	18
4501-5500	3	18	21



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Poll Manager Training

- The commissioners of election of each county, in conjunction with the circuit clerk, shall sponsor and conduct, not less than five (5) days prior to each election, training sessions to instruct managers as to their duties in the proper administration of the election and the operation of the polling place.
- No manager or clerk shall serve in any election unless he has received such instruction once during a twelve (12) month period. The commissioners of election shall train a sufficient number of alternates to serve in the event a manager or clerk is unable to serve for any reason.

Reference: Miss. Code Ann. § 23-15-239



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Compensation of Poll Managers

- Poll Managers must be paid \$75 for an election.
- A manager who is designated to be the Receiving and Returning Manager is entitled to an additional \$10 for carrying the boxes to the polling place and another \$10 for returning the box(es) after the election.
- County's Board of Supervisors can approve a supplement of \$50 per day.

Reference: Miss. Code Ann. § 23-15-227



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Poll Manager Training Materials

- The Secretary of State's Office provides the following Poll Manager Training Materials:
 - Mississippi Poll Manager Guide on Election Day Operations
 - Poll Manager Training Video and DVD
 - County Election Handbook
 - Materials may be downloaded from the Secretary of State's website from any computer
 - Circuit Clerk's Office
 - Regional Library
 - Home



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Pre-Election Day Duties

- Commissioners procure a sufficient number of secured ballot boxes and distribute them before the time for opening the polls.
- Commissioners appoint one manager to receive and distribute official ballots at the precinct and return all used and unused ballots and other ballots and other materials to the Circuit Clerk's office after the election has been held.
- Record to be kept of the number of official ballots that were printed and furnished to each precinct, and all ballots shall be accounted for.

Reference: Miss. Code Ann. §§ 23-15-247; 23-15-251



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Pre-Election Day Duties

- Commissioners furnish stationery and blank forms for making returns of the election for all precincts.
- The Commission Chairman has ballots printed and receives a record of how many ballots are printed. The printer shall deliver to Election Commissioners for holding elections, a certificate of the number of ballots, except on instruction of proper Election Commissioners; and failure to observe either of these requirements shall be a misdemeanor.

References: Miss. Code Ann. §§ 23-15-253; 23-15-351



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Pre-Election Day Duties

- Ballots shall have all candidates' names whether they be candidates by party nomination or by petition.
- In case the official ballots are lost or destroyed, the Commissioners shall have like ballots furnished in place of those lost or destroyed.
- Commissioners shall meet and canvass the returns and announce the names of candidates who have received a majority of votes cast.

References: Miss. Code Ann. §§ 23-15-353; 23-15-371; 23-15-601



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Pre-Election Day Duties

- Appoint Resolution Board members
- Ensure that Resolution Board members receive adequate training

Reference: Miss. Code Ann. § 23-15-523



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Post Election Duties

- After each election, make a list of all persons who served as managers and clerks at the election, designating for what service each is entitled to pay, certify to the correctness of the same, and file it with the clerk of the board of supervisors.
- An allowance shall not be made to any such officer unless his service is certified.

Reference: Miss. Code Ann. § 23-15-261



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Counting Votes

- All proceedings at the counting center shall be under the direction of the commissioners of elections or officials in charge of the election, and shall be conducted under the observations of the public, but no persons except those authorized for the purpose shall touch any ballot.

Reference: Miss. Code Ann. § 23-15-523



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Affidavit Ballots

- In canvassing the returns of the election, the Election Commissioners shall examine the records and allow the ballot to be counted, or not counted, as it appears to be legal.

Reference: Miss. Code Ann. § 23-15-573



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Canvass of Returns

- The Election Commissioners shall canvass the returns, ascertain and declare the result, and within ten (10) days after the day of the election, shall deliver a certificate of his election to the person having the greatest number of votes for representative in the Legislature of districts composed of one (1) county or less, or other county office, board of supervisors, justice court judge and constable.
- If it appears that two (2) or more candidates for Representative of the county or part of the county, or for any county office, board of supervisors, justice court judge or constable standing highest on the list, and not elected, have an equal number of votes, the election shall be decided by lot fairly and publicly drawn by the commissioners, with the aid of two (2) or more respectable electors of the county, and a certificate of election shall be given accordingly.

Reference: Miss. Code Ann. § 23-15-601(1)



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Delivery of Returns to the Secretary of State

- The commissioners of election shall transmit to the Secretary of State a statement of the total number of votes cast in the county for each candidate for each office and the total number of votes cast for such candidates in each precinct in the district in which the candidate ran.
- Within ten days after election.

Reference: Miss. Code Ann. § 23-15-601(2)



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Election Contest

- The Election Commissioners shall attend primary election hearings and sit with the judge or chancellor as advisors or assistants.
- Election Commissioners shall be compensated for their services in hearing election contests.

Reference: Miss. Code Ann. § 23-15-931



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For More Information:

Please Contact
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Election's Division Hotline
(800)829-6786
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