

STATE OF MISSISSIPPI



JIM HOOD
ATTORNEY GENERAL

OPINIONS
DIVISION

June 21, 2019

The Honorable Linda Ivy
Chairman, Clay County Election Commission
Post Office Box 364
West Point, Mississippi 39773

Re: Hiring poll worker

Dear Ms. Ivy:

Attorney General Jim Hood received your letter of request and assigned it to me for research and reply.

Issue Presented

You ask if the Clay County Election Commission can lawfully hire and pay an individual as a poll worker in the upcoming elections who has been convicted of disenfranchising crimes but has had his suffrage restored by the Mississippi Legislature.

Response

Yes.

Analysis

Section 23-15-231 of the Mississippi Code provides:

Before every election, the election commissioners shall appoint three (3) persons for each voting precinct to be poll managers, one (1) of whom shall be designated by the election commissioners as election bailiff. For general and special elections, the poll managers shall not all be of the same political party if suitable persons of different political parties can be found in the district. If any person appointed shall fail to attend and serve, the poll managers present, if any, may designate someone to fill his or her place; and if the election commissioners fail to make the appointments or in case of the failure of all those appointed to attend and serve, any three

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(3) qualified electors present when the polls should be opened may act as poll managers. Provided, however, **any person appointed to be poll manager or act as poll manager shall be a qualified elector of the county in which the polling place is located.**

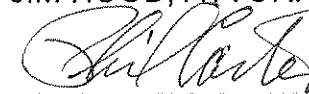
(Emphasis added).

Senate Bill 2706 was passed by the Mississippi Legislature and became effective on April 19, 2019 without the Governor's signature. It restored the suffrage of the individual in question. He is now a qualified elector of Clay County, assuming, of course, that he is also a legitimate resident of that county and properly registered. Therefore, he could lawfully be appointed to serve and lawfully be paid as a poll worker in the upcoming elections.

Sincerely,

JIM HOOD, ATTORNEY GENERAL

By:



Phil Carter
Special Assistant Attorney General

OFFICIAL OPINION