

By: Representative Gibbs

To: Fees and Salaries of  
Public Officers;  
Appropriations

## HOUSE BILL NO. 361

1 AN ACT TO CREATE THE MISSISSIPPI HUMAN RELATIONS ACT OF 1999;  
2 TO SET OUT THE LEGISLATURE'S FINDINGS THAT DISCRIMINATION IS  
3 UNLAWFUL AND IN CONFLICT WITH THE IDEAS OF THE STATE OF  
4 MISSISSIPPI AND THE NATION; TO CREATE THE MISSISSIPPI HUMAN  
5 RELATIONS COMMISSION; TO SET OUT THE POWERS AND DUTIES OF THE  
6 MISSISSIPPI HUMAN RELATIONS COMMISSION; TO REQUIRE ALL STATE  
7 AGENCIES TO COOPERATE WITH THE MISSISSIPPI HUMAN RELATIONS  
8 COMMISSION IN IMPLEMENTING THE PROVISIONS OF THIS ACT; AND FOR  
9 RELATED PURPOSES. BE IT ENACTED BY THE LEGISLATURE OF THE STATE  
10 OF MISSISSIPPI:

11  
12 SECTION 1. This act shall be known and may be cited as the  
13 "Mississippi Human Relations Act of 1999."

14 SECTION 2. (1) The legislature finds that the practice of  
15 discrimination against an individual because of race, religion,  
16 color, sex, age, national origin or disability is a matter of  
17 state concern and declares that this discrimination is unlawful  
18 and in conflict with the ideas of the State of Mississippi and the  
19 nation. This type of discrimination interferes with the  
20 opportunities of an individual to receive and enjoy employment,  
21 housing and public accommodations.

22 (2) The Mississippi Human Relations Act of 1999 shall be  
23 construed according to the fair import of its terms and shall be  
24 liberally construed to further the general purposes stated in this  
25 act and the special purposes of the particular provision involved.

26 SECTION 3. (1) There is created the Mississippi Commission  
27 on Human Relations comprised of nine (9) members. Three (3)  
28 members shall be appointed by the Governor, three (3) by the  
29 Lieutenant Governor and three (3) by the Speaker of the House of  
30 Representatives. All shall be subject to confirmation by the

31 Senate. No more than five (5) of the members shall at any time be  
32 of the same political party.

33 (2) The Governor shall appoint a member from the body to  
34 serve as chairperson for a two (2) year term of office and a vice  
35 chairperson who shall preside in the absence of the chairperson or  
36 in situations when the chairperson is excused.

37 (3) The members of the commission shall be representatives  
38 of various racial, religious, ethnic, social, economic, political  
39 and professional groups within the state and at least one (1)  
40 member of the commission must be sixty (60) years of age or older.

41 (4) The term of office of each member of the commission  
42 shall be six (6) years. The initial terms of the members shall be  
43 as follows:

44 (a) Three (3) members shall serve for two (2) years;

45 (b) Three (3) members shall serve for four (4) years;

46 and

47 (c) Three (3) members shall serve for six (6) years.

48 Thereafter, all terms shall be for six (6) years. An  
49 appointment to fill a vacancy which arises for reasons other than  
50 by expiration of a term of office shall be made for the unexpired  
51 term only. Any vacancy in the commission shall not affect its  
52 powers and shall be filled in the same manner and subject to the  
53 same limitation with respect to party affiliation as the original  
54 appointment was made. The Governor may suspend a member of the  
55 commission only for cause, subject to removal or reinstatement by  
56 the Senate.

57 (5) Five (5) members shall constitute a quorum for the  
58 conduct of business; however, the commission may establish  
59 subcommittees of not less than three (3) of its members to  
60 exercise its powers under the Mississippi Human Relations Act of  
61 1999, subject to such procedures and limitations as the commission  
62 may provide by rule.

63 (6) The members of the commission shall receive no annual  
64 salary but shall be reimbursed for actual expenses incurred in the  
65 performance of their duties and shall receive per diem  
66 compensation as authorized by law for attending official meetings  
67 of the commission.

68           (7) The commission created by this act is assigned to the  
69 Office of the Governor for administrative purposes. The  
70 commission, in the performance of its duties under the Mississippi  
71 Human Relations Act of 1999, shall not be subject to the control,  
72 supervision or direction of the Office of the Governor.

73           SECTION 4. The commission shall:

74                   (a) Promote and encourage fair treatment, equal  
75 opportunity for all persons regardless of race, color, religion,  
76 sex, national origin, age or disability and a mutual understanding  
77 between the respective groups;

78                   (b) Promote and encourage respect among all members of  
79 all economic, social, racial, religious and ethnic groups;

80                   (c) Endeavor to eliminate discrimination against and  
81 antagonism between religious, racial and ethnic groups and their  
82 members.

83           SECTION 5. Within the limitations provided by law, the  
84 Mississippi Human Relations Commission shall have the following  
85 powers and duties:

86                   (a) To maintain an office in Jackson, Mississippi, and  
87 such other offices within the state as necessary;

88                   (b) To conduct hearings, gather testimony and perform  
89 other functions necessary to carry out its powers and duties as  
90 prescribed by statute;

91                   (c) To appoint an executive director and such other  
92 staff as necessary, to fix their compensation with the approval of  
93 the Governor and to delegate any of its functions and duties to  
94 its employees in the interest of the efficient management of the  
95 appropriations and resources of the agency;

96                   (d) To cooperate with federal agencies under the  
97 provisions of Titles VI and VII of the 1964 Civil Rights Act, as  
98 amended, and Title VIII of the 1968 Civil Rights Act, as amended,  
99 in order to achieve the purposes of those acts, and with other  
100 Federal agencies in order to achieve the purposes of the

101 Mississippi Human Relations Act of 1999;

102           (e) To accept grants to help finance its activities;

103           (f) To become a deferral agency for the Federal  
104 government and to comply with the necessary federal regulations to  
105 effectuate the provisions of this act;

106           (g) To receive, initiate, investigate, seek to  
107 conciliate, hold hearings on and pass upon complaints alleging  
108 violations of applicable law;

109           (h) To furnish technical assistance requested by  
110 persons to facilitate progress in human relations;

111           (i) To study and report on problems of discrimination  
112 because of race, creed, color, religion, sex, age, national origin  
113 or disability so as to effectuate the purposes and policies of  
114 this act or applicable law and to make the results thereof  
115 available to the public;

116           (j) To render, at least annually, a comprehensive  
117 written report to the Governor and to the Legislature. The report  
118 may contain the recommendations of the commission for legislative  
119 action or other action to effectuate the purposes of this act;

120           (k) To adopt, promulgate, amend and rescind rules and  
121 regulations to effectuate the purposes and provisions of this act,  
122 including regulations requiring the posting of notices prepared or  
123 approved by the commission; and

124           (l) To cooperate with community, professional, civic  
125 and religious organizations, federal agencies and agencies from  
126 other states in the development of public information programs,  
127 leadership development initiatives and activities in the interest  
128 of equal opportunity and treatment of all individuals.

129           SECTION 6. All departments, commissions, boards, agencies  
130 and officers of the state shall cooperate with the Mississippi  
131 Human Relations Commission in implementing the provisions of this  
132 act.

133           SECTION 7. This act shall take effect and be in force from

134 and after July 1, 1999.