

By: Representative Broomfield

To: Municipalities

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 378

1 AN ACT TO AMEND SECTIONS 21-3-7 AND 21-3-13, MISSISSIPPI CODE
2 OF 1972, TO PROVIDE THAT IN CERTAIN MUNICIPALITIES THE ALDERMAN
3 THAT IS ELECTED FROM THE MUNICIPALITY AT LARGE SHALL SERVE AS THE
4 MAYOR PRO TEMPORE; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 21-3-7, Mississippi Code of 1972, is
7 amended as follows:

8 21-3-7. In all municipalities having a population of less
9 than ten thousand (10,000) according to the latest available
10 federal census, there shall be five (5) aldermen, which aldermen
11 may be elected from the municipality at large, or, in the
12 discretion of the municipal authority, the municipality may be
13 divided into four (4) wards, with one (1) alderman to be selected
14 from each ward and one (1) from the municipality at large. On a
15 petition of twenty percent (20%) of the qualified electors of any
16 such municipality, the provisions of this section as to whether or
17 not the aldermen shall be elected from wards or from the
18 municipality at large shall be determined by the vote of the
19 majority of such qualified electors of such municipality voting in
20 a special election called for that purpose. All aldermen shall be
21 selected by vote of the entire electorate of the municipality.
22 Those municipalities which determine to select one (1) alderman
23 from each of the four (4) wards shall select, by majority vote of
24 the entire electorate of the municipality, one (1) from the
25 candidates for alderman from each particular ward who shall be a
26 resident of the ward * * *.

27 In all municipalities having a population of ten thousand

(10,000) or more, according to the latest available federal census, there shall be seven (7) aldermen, which aldermen may be elected from the municipality at large, or, in the discretion of the municipal authority, the municipality may be divided into six (6) wards, with one (1) alderman to be selected from each ward and one (1) from the municipality at large. On a petition of twenty percent (20%) of the qualified electors of any such municipality, the provisions of this section as to whether or not the aldermen shall be elected from wards or from the municipality at large shall be determined by the vote of the majority of such qualified electors of such municipality voting in a special election called for that purpose. This section in no way affects the number of aldermen, councilmen, or commissioners of any city operating under a special charter. All aldermen shall be selected by vote of the entire electorate of the municipality. Those municipalities which determine to select one (1) alderman from each of the six (6) wards shall select one (1) of the candidates for alderman from each particular ward by majority vote of the entire electorate of the municipality.

In any municipality, bordering on the Escatawpa River, having an aldermanic commission form of government and having a population of not less than seventeen thousand eight hundred thirty-seven (17,837) according to the 1990 federal census, and which determines to select one (1) alderman from each of the six (6) wards and one (1) alderman from the municipality at large, the alderman elected from the municipality at large shall serve as the mayor pro tempore of the municipality.

SECTION 2. Section 21-3-13, Mississippi Code of 1972, is amended as follows:

21-3-13. (1) The board of aldermen shall elect from among its members a mayor pro tempore, who shall serve in the place of the mayor in cases of temporary absence or disability of the mayor.

61 (2) In any municipality, bordering on the Escatawpa River,
62 having an aldermanic commission form of government and having a
63 population of not less than seventeen thousand eight hundred
64 thirty-seven (17,837) according to the 1990 federal census, and
65 which determines to select one (1) alderman from each of the six
66 (6) wards and one (1) alderman from the municipality at large, the
67 alderman elected from the municipality at large shall serve as the
68 mayor pro tempore of the municipality.

69 SECTION 3. This act shall take effect and be in force from
70 and after July 1, 1999.