

By: Representative Broomfield

To: Municipalities

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 THE ALDERMAN THAT IS ELECTED FROM THE
3 MUNICIPALITY AT LARGE SHALL SERVE AS THE MAYOR PRO TEMPORE; AND
4 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. In
15 those municipalities which determine to select one (1) alderman
16 from each of the four (4) wards and one (1) alderman from the
17 municipality at large, the alderman elected from the municipality
18 at large shall serve as the mayor pro tempore of the municipality.

19 On a petition of twenty percent (20%) of the qualified electors
20 of any such municipality, the provisions of this section as to
21 whether or not the aldermen shall be elected from wards or from
22 the municipality at large shall be determined by the vote of the
23 majority of such qualified electors of such municipality voting in
24 a special election called for that purpose. All aldermen shall be
25 selected by vote of the entire electorate of the municipality.

26 Those municipalities which determine to select one (1) alderman
27 from each of the four (4) wards shall select, by majority vote of

28 the entire electorate of the municipality, one (1) from the
29 candidates for alderman from each particular ward who shall be a
30 resident of the ward * * *.

31 In all municipalities having a population of ten thousand
32 (10,000) or more, according to the latest available federal
33 census, there shall be seven (7) aldermen, which aldermen may be
34 elected from the municipality at large, or, in the discretion of
35 the municipal authority, the municipality may be divided into six
36 (6) wards, with one (1) alderman to be selected from each ward and
37 one (1) from the municipality at large. On a petition of twenty
38 percent (20%) of the qualified electors of any such municipality,
39 the provisions of this section as to whether or not the aldermen
40 shall be elected from wards or from the municipality at large
41 shall be determined by the vote of the majority of such qualified
42 electors of such municipality voting in a special election called
43 for that purpose. This section in no way affects the number of
44 aldermen, councilmen, or commissioners of any city operating under
45 a special charter. All aldermen shall be selected by vote of the
46 entire electorate of the municipality. Those municipalities which
47 determine to select one (1) alderman from each of the six (6)
48 wards shall select one (1) of the candidates for alderman from
49 each particular ward by majority vote of the entire electorate of
50 the municipality.

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

53 21-3-13. The board of aldermen shall elect from among its
54 members a mayor pro tempore, who shall serve in the place of the
55 mayor in cases of temporary absence or disability of the mayor.
56 In those municipalities which determine to select one (1) alderman
57 from each of the four (4) wards and the one (1) alderman from the
58 municipality at large, the alderman elected from the municipality

59 at large shall serve as the mayor pro tempore of the municipality.

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