

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2810

By Representative(s) Committee

28 Amend by striking all after the enacting clause and inserting
29 in lieu thereof the following:

30

31 SECTION 1. Section 23-15-39, Mississippi Code of 1972, is
32 amended as follows:

33 23-15-39. (1) Applications for registration as electors of
34 this state, which are sworn to and subscribed before the registrar
35 or deputy registrar authorized by law and which are not made by
36 mail, shall be made upon a triplicate form in the following words
37 and figures:

38 "APPLICATION FOR REGISTRATION

39 (You may receive assistance in filling out this form from any
40 person of your choosing. It is not necessary that this form be
41 filled out in the presence of the registrar, however, the oath
42 must be executed in the presence of the registrar or his deputy.)

43 1. What is your full name, including maiden name, if you
44 have one? _____

45 2. Please give your Social Security number. _____

46 3. What is your date of birth * * *? _____

47 4. Are you a citizen of the United States? _____

48 5. What is your present residence address and each place you
49 have resided during the past year, stating when you lived at each
50 place, and specifying the municipality or community, the street

51 name and number and/or any other designation which accurately
52 describes the geographic location of your present residence
53 address?

54 (a) Present address: _____
55 From _____ (month) to date.

56 (b) Previous address: _____
57 From _____ (month) to _____ (month).

58 (c) Previous address: _____
59 From _____ (month) to _____ (month).

60 (If you need additional space, use the back side of this
61 form.)

62 6. What is your present mailing address? _____

63 7. Are you now a resident of this state and county? _____

64 8. Do you now reside within the city limits of a city or
65 town located within this county? _____

66 9. Have you ever registered to vote before in any other
67 county or state? If so, give the last place or last two (2)
68 places if registered more than once. _____

69 10. Have you ever been convicted of the crime of murder,
70 rape, bribery, theft, arson, obtaining money or goods under false
71 pretenses, perjury, forgery, embezzlement or bigamy? _____

72 11. The following questions may be answered by you at your
73 option and are solely for the purpose of aiding in registering you
74 in the proper precinct:

75 (a) Are there any registered voters living at your
76 present residence? _____ If so, give the name of each such
77 person. _____

78 (b) Do you have a telephone at your present residence?
79 _____ If so, give the telephone number of such telephone.

80 _____ Please give your work telephone number. _____

81 * * *

82 After you have answered 1 through 11 above, sign or make your
83 mark on the following oath in the presence of the registrar or
84 deputy registrar.

85 STATE OF MISSISSIPPI

86 COUNTY OF _____

87 I do solemnly swear (or affirm) that I am at least eighteen
88 (18) years old (or I will be before the next general election in
89 this county), and that I am now in good faith a resident of this
90 state and of _____ Election Precinct in this county, and that I
91 am not disqualified from voting by reason of having been convicted
92 of any crime listed in Question 10 of the application; that I have
93 truly answered all questions propounded to me in the foregoing
94 application for registration, and that I will faithfully support
95 the Constitutions of the United States and of the State of
96 Mississippi, and will bear true faith and allegiance to the same.
97 So help me God.

98 Applicant sign here: _____

99 SWORN TO AND SUBSCRIBED before me, this the ____ day of
100 _____ 19__.

101 _____ (Registrar)

102 By _____ (Deputy Registrar)"

103 (2) The boards of supervisors shall make proper allowances
104 for office supplies reasonably necessitated by the registration of
105 county electors.

106 (3) If the reply to Question 8 above is affirmative, the
107 county registrar shall forward notice of registration, a copy of
108 the application for registration, and any changes to such
109 registration when they occur, either by certified mail to the
110 clerk of the municipality indicated in the present residence
111 address stated in answer to Question 5(a) above or by personal
112 delivery to such clerk provided that a numbered receipt is signed
113 by such clerk in return for the described documents. Upon receipt
114 of the copy of the application for registration or changes to such
115 registration, and if a review of same indicates that the applicant
116 meets all the criteria necessary to qualify as a municipal
117 elector, then the clerk of said municipality shall make a
118 determination of the municipal voting precinct in which the person
119 making the application shall be required to vote. The clerk shall
120 send this municipal voting precinct information by United States

121 first-class mail, postage prepaid, to such person at the address
122 provided on the application. Any and all mailing costs incurred
123 by the county registrar or the clerk of the municipality in
124 effectuating this subsection shall be paid by the governing
125 authority of such municipality. If a review of the copy of the
126 application for registration or changes to such registration
127 indicates that the applicant is not qualified to vote in said
128 municipality, the clerk of said municipality shall challenge such
129 application. The municipal election commissioners responsible for
130 said municipality shall review any such challenge or
131 disqualification after having notified the applicant by certified
132 mail of such challenge or disqualification.

133 (4) If the reply to Question 9 above is affirmative, the
134 registrar or clerk shall on a monthly basis send notice of this
135 new registration to the registrar or clerk of the county stated in
136 Question 9 as the voter's previous place of registration. The
137 election commission of the voter's previous place of registration
138 shall be responsible for having such voter's name erased from the
139 appropriate registration book and pollbook.

140 (5) The registrar shall issue to the person making the
141 application a copy of such application upon which has been written
142 the county voting precinct in which said person shall vote. The
143 registrar shall assign a voter registration number to such person,
144 which shall be that person's Social Security number if such a
145 number is provided, and said voter registration number shall be
146 clearly shown on the application.

147 (6) Any person desiring an application for registration may
148 secure the same from the registrar of the county of which he is a
149 resident and may take said form with him and secure assistance in
150 completing said form from any person of the applicant's choice.
151 It shall be the duty of all registrars to furnish forms for
152 registering to all persons requesting the same, and it shall
153 likewise be his duty to furnish aid and assistance in the
154 completing of said forms when requested by an applicant. The
155 application for registration shall be sworn to and subscribed

156 before the registrar or deputy registrar at the municipal clerk's
157 office, the county registrar's office or any other location where
158 the applicant is allowed to register to vote. No fee or cost
159 shall be charged the applicant by the registrar for accepting the
160 application or administering the oath or for any other duty
161 imposed by law regarding the registration of electors.

162 (7) The receipt of a copy of the application for
163 registration sent pursuant to Section 23-15-35(2), shall be
164 sufficient to allow the applicant to be registered as an elector
165 of this state, provided that such application is not challenged as
166 provided for therein.

167 (8) In any case in which a municipality expands its
168 corporate boundaries by annexation, the municipal clerk shall,
169 within ten (10) days after the effective date of such annexation,
170 forward to the county registrar a map which accurately depicts the
171 annexed area. The county registrar shall, within ten (10) days
172 after the receipt of such map, forward to the municipal clerk a
173 copy of the most recent county precinct or subprecinct pollbook
174 for the county precincts in which such annexed area is included,
175 or equivalent computer data or information as will permit the
176 identification of county electors who reside in the annexed area.
177 The municipal clerk shall add those county electors who have
178 resided in the annexed area for at least thirty (30) days after
179 annexation to the municipal registration books as registered
180 voters of the municipality and shall forward to such persons
181 written notification of such addition and of the municipal
182 precinct or ward in which such persons reside.

183 SECTION 2. Section 23-15-213, Mississippi Code of 1972, is
184 amended as follows:

185 23-15-213. At the general election in 1984 and every four
186 (4) years thereafter there shall be elected five (5) commissioners
187 of election for each county whose terms of office shall commence
188 on the first Monday of January following their election and who
189 shall serve for a term of four (4) years. Each of the
190 commissioners, before acting, shall take and subscribe the oath of

191 office prescribed by the Constitution and file the same in the
192 office of the clerk of the chancery court, there to remain. While
193 engaged in their duties, the commissioners shall be conservators
194 of the peace in the county, with all the duties and powers of
195 such.

196 The qualified electors of each supervisors district shall
197 elect, at the general election in 1984 and every four (4) years
198 thereafter, in their district one (1) commissioner of election.
199 No more than one (1) commissioner shall be a resident of and
200 reside in each supervisors district of the county; it being the
201 purpose of this section that the county board of election
202 commissioners shall consist of one (1) person from each
203 supervisors district of the county and that each such commissioner
204 be elected from the supervisors district in which he resides.

205 Candidates for county election commissioner shall qualify by
206 filing with the clerk of the board of supervisors of their
207 respective counties a petition personally signed by not less than
208 fifty (50) qualified electors of the supervisors district in which
209 they reside, requesting that they be a candidate, by 5:00 p.m. not
210 less than sixty (60) days before the election and unless such
211 petition is filed within said time, their names shall not be
212 placed upon the ballot. All candidates shall declare in writing
213 their party affiliation, if any, to the board of supervisors, and
214 such party affiliation shall be shown on the official ballot.

215 The petition shall have attached thereto a certificate of the
216 registrar showing the number of qualified electors on each
217 petition, which shall be furnished by the registrar on request.
218 The board shall determine the sufficiency of the petition, and if
219 the same shall contain the required number of signatures and be
220 filed within the time required, the president of the board shall
221 verify that such candidate is a resident of the supervisors
222 district in which he seeks election and that such candidate is
223 otherwise qualified as provided by law, and shall certify the same
224 to the chairman or secretary of the county election commission and
225 the names of the candidates shall be placed upon the ballot for

226 the ensuing election. No county election commissioner shall serve
227 or be considered as elected unless and until he has received a
228 majority of the votes cast for the position or post for which he
229 is a candidate. If such majority vote is not received in the
230 first election, then the two (2) candidates receiving the most
231 votes for each position or post shall be placed upon the ballot
232 for a second election to be held two (2) weeks later in accordance
233 with appropriate procedures followed in other elections involving
234 runoff candidates.

235 Upon taking office, the county board of election
236 commissioners shall organize by electing a chairman and a
237 secretary.

238 It shall be the duty of the chairman to have the official
239 ballot printed and distributed at each general or special
240 election.

241 SECTION 3. Section 23-15-299, Mississippi Code of 1972, is
242 amended as follows:

243 23-15-299. (1) Assessments made pursuant to paragraphs (a),
244 (b) and (c) of Section 23-15-297, and assessments made pursuant to
245 paragraph (d) of Section 23-15-297 for legislative offices for
246 districts composed of more than one (1) county or parts of more
247 than one (1) county, shall be paid by each candidate to the
248 Secretary of the State Executive Committee with which the
249 candidate is affiliated by 5:00 p.m. on March 1 of the year in
250 which the primary election for the office is held or on the date
251 of the qualifying deadline provided by statute for the office,
252 whichever is earlier.

253 (2) Assessments made pursuant to paragraphs (d) and (e) of
254 Section 23-15-297, other than assessments made for legislative
255 offices for districts containing more than one (1) county or parts
256 of more than one (1) county, shall be paid by each candidate to
257 the circuit clerk of such candidate's county of residence by 5:00
258 p.m. on March 1 of the year in which the primary election for the
259 office is held or on the date of the qualifying deadline provided
260 by statute for the office, whichever is earlier; provided,

261 however, that no such assessments may be paid before January 1 of
262 the year in which the election for the office is held. The
263 circuit clerk shall forward the fee and all necessary information
264 to the secretary of the proper county executive committee within
265 two (2) business days.

266 (3) Assessments made pursuant to paragraphs (f) and (g) of
267 Section 23-15-297 must be paid by each candidate to the Secretary
268 of the State Executive Committee with which the candidate is
269 affiliated by 5:00 p.m. * * * sixty (60) days before the
270 presidential preference primary in * * * years in which a
271 presidential preference primary is held. Assessments made
272 pursuant to paragraphs (f) and (g) of Section 23-15-297, in years
273 when a presidential preference primary is not being held, shall be
274 paid by each candidate to the Secretary of the State Executive
275 Committee with which the candidate is affiliated by 5:00 p.m. on
276 March 1 of the year in which the primary election for the office
277 is held.

278 (4) (a) The fees paid pursuant to subsections (1), (2) and
279 (3) of this section shall be accompanied by a written statement
280 containing the name and address of the candidate, the party with
281 which he or she is affiliated and the office for which he or she
282 is a candidate.

283 (b) The state executive committee shall transmit to the
284 Secretary of State a copy of the written statements accompanying
285 the fees paid pursuant to subsections (1) and (2) of this section.
286 All copies must be received by the Office of the Secretary of
287 State by not later than 6:00 p.m. on the date of the qualifying
288 deadline. The name of any person who pays the fee and files a
289 statement after 5:00 p.m. on the date of the qualifying deadline
290 shall not be placed on the primary election ballot.

291 (5) The secretary or circuit clerk to whom such payments are
292 made shall promptly receipt for same stating the office for which
293 such candidate making payment is running and the political party
294 with which he or she is affiliated, and he or she shall keep an
295 itemized account in detail showing the exact time and date of the

296 receipt of each payment received by him or her and, where
297 applicable, the date of the postmark on the envelope containing
298 the fee and from whom, and for what office the party paying same
299 is a candidate.

300 (6) The secretaries of the proper executive committee shall
301 hold said funds to be finally disposed of by order of their
302 respective executive committees. Such funds may be used or
303 disbursed by the executive committee receiving same to pay all
304 necessary traveling or other necessary expenses of the members of
305 the executive committee incurred in discharging their duties as
306 committeemen, and of their secretary and may pay the secretary
307 such salary as may be reasonable.

308 (7) Upon receipt of the proper fee and all necessary
309 information, the proper executive committee shall then determine
310 whether * * * each candidate is a qualified elector of the state,
311 state district, county or county district which they seek to
312 serve, and whether each candidate meets all other qualifications
313 to hold the office he is seeking or presents absolute proof that
314 he will, subject to no contingencies, meet all qualifications on
315 or before the date of the general or special election at which he
316 could be elected to office. The committee also shall determine
317 whether any candidate has been convicted of any felony in a court
318 of this state, or has been convicted on or after December 8, 1992,
319 of any offense in another state which is a felony under the laws
320 of this state, or has been convicted of any felony in a federal
321 court on or after December 8, 1992. Excepted from the above are
322 convictions of manslaughter and violations of the United States
323 Internal Revenue Code or any violations of the tax laws of this
324 state unless the offense also involved misuse or abuse of his
325 office or money coming into his hands by virtue of his office. If
326 the proper executive committee finds that a candidate is not a
327 qualified elector, * * * does not meet all qualifications to hold
328 the office he seeks or fails to provide absolute proof, subject to
329 no contingencies, that he will meet the qualifications on or
330 before the date of the general or special election at which he

331 could be elected, or that he has been convicted of a felony as
332 described in this subsection, and not pardoned * * *, then the
333 name of such candidate shall not be placed upon the ballot.

334 Where there is but one (1) candidate, the proper executive
335 committee when the time has expired within which the names of
336 candidates shall be furnished shall declare such candidate the
337 nominee.

338 (8) No candidate may qualify by filing the information
339 required by this section by using the internet.

340 SECTION 4. Section 23-15-309, Mississippi Code of 1972, is
341 amended as follows:

342 23-15-309. (1) Nominations for all municipal officers which
343 are elective shall be made at a primary election, or elections, to
344 be held in the manner prescribed by law. All persons desiring to
345 be candidates for the nomination in the primary elections shall
346 first pay Ten Dollars (\$10.00) to the clerk of the municipality,
347 at least thirty (30) days prior to the first primary election, no
348 later than 5:00 p.m. on such deadline day.

349 (2) The fee paid pursuant to subsection (1) of this section
350 shall be accompanied by a written statement containing the name
351 and address of the candidate, the party with which he is
352 affiliated, and the office for which he is a candidate.

353 (3) The clerk shall promptly receipt the payment, stating
354 the office for which the person making the payment is running and
355 the political party with which such person is affiliated. The
356 clerk shall keep an itemized account in detail showing the time
357 and date of the receipt of such payment received by him, from whom
358 such payment was received, the party with which such person is
359 affiliated and for what office the person paying the fee is a
360 candidate. The clerk shall promptly supply all necessary
361 information and pay over all fees so received to the secretary of
362 the proper municipal executive committee. Such funds may be used
363 and disbursed in the same manner as is allowed in Section
364 23-15-299 in regard to other executive committees.

365 (4) Upon receipt of the above information, the proper

366 municipal executive committee shall then determine whether * * *
367 each candidate is a qualified elector of the municipality, and of
368 the ward if the office sought is a ward office, shall determine
369 whether each candidate meets all other qualifications to hold the
370 office he is seeking or presents absolute proof that he will,
371 subject to no contingencies, meet all qualifications on or before
372 the date of the general or special election at which he could be
373 elected to office. The committee also shall determine whether any
374 candidate has been convicted of any felony in a court of this
375 state, or has been convicted on or after December 8, 1992, of any
376 offense in another state which is a felony under the laws of this
377 state, or has been convicted of any felony in a federal court on
378 or after December 8, 1992. Excepted from the above are
379 convictions of manslaughter and violations of the United States
380 Internal Revenue Code or any violations of the tax laws of this
381 state unless such offense also involved misuse or abuse of his
382 office or money coming into his hands by virtue of his office. If
383 the proper municipal executive committee finds that a candidate
384 does not meet all qualifications to hold the office he seeks or
385 fails to provide absolute proof, subject to no contingencies, that
386 he will meet the qualifications on or before the date of the
387 general or special election at which he could be elected, or that
388 he has been convicted of a felony as described in this subsection
389 and not pardoned * * *, then the name of such candidate shall not
390 be placed upon the ballot.

391 (5) Where there is but one (1) candidate, the proper
392 municipal executive committee when the time has expired within
393 which the names of candidates shall be furnished shall declare
394 such candidate the nominee.

395 SECTION 5. Section 23-15-359, Mississippi Code of 1972, is
396 amended as follows:

397 23-15-359. (1) The ballot shall contain the names of all
398 party nominees certified by the appropriate executive committee,
399 and independent and special election candidates who have timely
400 filed petitions containing the required signatures. A petition

401 requesting that an independent or special election candidate's
402 name be placed on the ballot for any office shall be filed as
403 provided for in subsection (3) or (4) of this section, as
404 appropriate, and shall be signed by not less than the following
405 number of qualified electors:

406 (a) For an office elected by the state at large, not
407 less than one thousand (1,000) qualified electors.

408 (b) For an office elected by the qualified electors of
409 a Supreme Court district, not less than three hundred (300)
410 qualified electors.

411 (c) For an office elected by the qualified electors of
412 a congressional district, not less than two hundred (200)
413 qualified electors.

414 (d) For an office elected by the qualified electors of
415 a circuit or chancery court district, not less than one hundred
416 (100) qualified electors.

417 (e) For an office elected by the qualified electors of
418 a senatorial or representative district, not less than fifty (50)
419 qualified electors.

420 (f) For an office elected by the qualified electors of
421 a county, not less than fifty (50) qualified electors.

422 (g) For an office elected by the qualified electors of
423 a supervisors district or justice court district, not less than
424 fifteen (15) qualified electors.

425 (2) Unless the petition required above shall be filed as
426 provided for in subsection (3) or (4) of this section, as
427 appropriate, the name of the person requested to be a candidate,
428 unless nominated by a political party, shall not be placed upon
429 the ballot. The ballot shall contain the names of each candidate
430 for each office, and such names shall be listed under the name of
431 the political party such candidate represents as provided by law
432 and as certified to the circuit clerk by the State Executive
433 Committee of such political party. In the event such candidate
434 qualifies as an independent as herein provided, he shall be listed
435 on the ballot as an independent candidate.

436 (3) Petitions for offices described in paragraphs (a), (b),
437 (c) and (d) of subsection (1) of this section, and petitions for
438 offices described in paragraph (e) of subsection (1) of this
439 section for districts composed of more than one (1) county or
440 parts of more than one (1) county, shall be filed with the State
441 Board of Election Commissioners by no later than 5:00 p.m. on the
442 same date by which candidates for nominations in the political
443 party primary elections are required to pay the fee provided for
444 in Section 23-15-297, Mississippi Code of 1972.

445 (4) Petitions for offices described in paragraphs (f) and
446 (g) of subsection (1) of this section, and petitions for offices
447 described in paragraph (e) of subsection (1) of this section for
448 districts composed of one (1) county or less, shall be filed with
449 the proper circuit clerk by no later than 5:00 p.m. on the same
450 date by which candidates for nominations in the political party
451 elections are required to pay the fee provided for in Section
452 23-15-297; provided, however, that no petition may be filed before
453 January 1 of the year in which the election for the office is
454 held. The circuit clerk shall notify the county commissioners of
455 election of all persons who have filed petitions with such clerk.

456 Such notification shall occur within two (2) business days and
457 shall contain all necessary information.

458 (5) The commissioners may also have printed upon the ballot
459 any local issue election matter that is authorized to be held on
460 the same date as the regular or general election pursuant to
461 Section 23-15-375; provided, however, that the ballot form of such
462 local issue must be filed with the commissioners of election by
463 the appropriate governing authority not less than sixty (60) days
464 previous to the date of the election.

465 (6) The provisions of this section shall not apply to
466 municipal elections or to the election of the offices of justice
467 of the Supreme Court, judge of the Court of Appeals, circuit
468 judge, chancellor, county court judge and family court judge.

469 (7) Nothing in this section shall prohibit special elections
470 to fill vacancies in either house of the Legislature from being

471 held as provided in Section 23-15-851. In all elections conducted
472 under the provisions of Section 23-15-851 the commissioner shall
473 have printed on the ballot the name of any candidate who, not
474 having been nominated by a political party, shall have been
475 requested to be a candidate for any office by a petition filed
476 with said commissioner by 5:00 p.m. not less than ten (10) working
477 days prior to the election, and signed by not less than fifty (50)
478 qualified electors.

479 (8) The appropriate election commission shall determine
480 whether each candidate is a qualified elector of the state, state
481 district, county or county district they seek to serve, and
482 whether each candidate meets all other qualifications to hold the
483 office he is seeking or presents absolute proof that he will,
484 subject to no contingencies, meet all qualifications on or before
485 the date of the general or special election at which he could be
486 elected to office. The election commission also shall determine
487 whether any candidate has been convicted of any felony in a court
488 of this state, or has been convicted on or after December 8, 1992,
489 of any offense in another state which is a felony under the laws
490 of this state, or has been convicted of any felony in a federal
491 court on or after December 8, 1992. Excepted from the above are
492 convictions of manslaughter and violations of the United States
493 Internal Revenue Code or any violations of the tax laws of this
494 state, unless the offense also involved misuse or abuse of his
495 office or money coming into his hands by virtue of his office. If
496 the appropriate election commission finds that a candidate is not
497 a qualified elector, or that the candidate does not meet all
498 qualifications to hold the office he seeks or fails to provide
499 absolute proof, subject to no contingencies, that he will meet the
500 qualifications on or before the date of the general or special
501 election at which he could be elected, or that he has been
502 convicted of a felony as described in this subsection, and not
503 pardoned, then the name of such candidate shall not be placed upon
504 the ballot.

505 (9) If after the deadline to qualify as a candidate for an

506 office or after the time for holding any party primary for an
507 office, there shall be only one (1) person who has duly qualified
508 to be a candidate for the office in the general election, the
509 election for the office shall be dispensed with and the
510 appropriate election commission shall declare the candidate
511 elected without opposition if the candidate meets all the
512 qualifications to hold the office as determined pursuant to a
513 review by the commission in accordance with the provisions of
514 subsection (8) of this section and if the candidate has filed all
515 required campaign finance disclosure reports as required by
516 Section 23-15-807.

517 (10) No petition may be filed by using the internet.

518 SECTION 6. Section 23-15-361, Mississippi Code of 1972, is
519 amended as follows:

520 23-15-361. (1) The municipal general election ballot shall
521 contain the names of all candidates who have been put in
522 nomination by the municipal primary election of any political
523 party. There shall be printed on the ballots the names of all
524 persons so nominated, whether the nomination be otherwise known or
525 not, upon the written request of one or more of the candidates so
526 nominated, or of any qualified elector who will make oath that he
527 was a participant in the primary election, and that the person
528 whose name is presented by him was nominated by such primary
529 election. The municipal election commissioner designated to have
530 the ballots printed shall also have printed on the ballot in any
531 municipal general election the name of any candidate who, not
532 having been nominated by a political party, shall have been
533 requested to be a candidate for any office by a petition filed
534 with the clerk of the municipality no later than 5:00 p.m. on the
535 same date by which candidates for nomination in the municipal
536 primary elections are required to pay the fee provided for in
537 Section 23-15-309, and signed by not less than the following
538 number of qualified electors:

539 (a) For an office elected by the qualified electors of
540 a municipality having a population of one thousand (1,000) or

541 more, not less than fifty (50) qualified electors.

542 (b) For an office elected by the qualified electors of
543 a municipality having a population of less than one thousand
544 (1,000), not less than fifteen (15) qualified electors.

545 (2) Unless the petition required above shall be filed no
546 later than 5:00 p.m. on the same date by which candidates for
547 nomination in the municipal primary election are required to pay
548 the fee provided for in Section 23-15-309, the name of the person
549 requested to be a candidate, unless nominated by a political
550 party, shall not be placed upon the ballot. The ballot shall
551 contain the names of each candidate for each municipal office, and
552 such names shall be listed under the name of the political party
553 such candidate represents as provided by law and as certified to
554 the municipal clerk by the municipal executive committee of such
555 political party. Provided further, however, that nothing in this
556 section shall prohibit a person from qualifying as a nominee of a
557 political party, or from requesting to be a candidate for the
558 office by filing a petition, in the event of the death of a
559 candidate for the office which makes it impossible to have an
560 election contest. In the event such candidate qualifies as an
561 independent as herein provided, he shall be listed on the ballot
562 as an independent candidate.

563 (3) The clerk of the municipality shall notify the municipal
564 commissioners of election of all persons who have filed petitions
565 pursuant to subsection (1) of this section within two (2) business
566 days of the date of filing.

567 (4) The ballot in elections to fill vacancies in municipal
568 elective office shall contain the names of all persons who have
569 qualified as required by Section 23-15-857.

570 (5) The municipal commission shall determine whether each
571 party candidate in the municipal general election is a qualified
572 elector of the municipality, and of the ward if the office sought
573 is a ward office and shall determine whether each candidate meets
574 all other qualifications to hold the office he is seeking or
575 presents absolute proof that he will, subject to no contingencies,

576 meet all qualifications on or before the date of the general or
577 special election at which he could be elected to office. The
578 municipal election commission also shall determine whether any
579 candidate has been convicted of any felony in a court of this
580 state, or has been convicted on or after December 8, 1992, of any
581 offense in another state which is a felony under the laws of this
582 state, or has been convicted of any felony in a federal court on
583 or after December 8, 1992. Excepted from the above are
584 convictions of manslaughter and violations of the United States
585 Internal Revenue Code or any violations of the tax laws of this
586 state unless such offense also involved misuse or abuse of his
587 office or money coming into his hands by virtue of his office. If
588 the municipal election commission finds that a candidate is not a
589 qualified elector, or that the candidate does not meet all
590 qualifications to hold the office he seeks or fails to provide
591 absolute proof, subject to no contingencies, that he will meet the
592 qualifications on or before the date of the general or special
593 election at which he could be elected, or that he has been
594 convicted of a felony as described above and not pardoned, then
595 the name of the candidate shall not be placed upon the ballot.

596 (6) If after the deadline to qualify as a candidate for an
597 office or after the time for holding any party primary election
598 for an office, there shall be only one (1) person who has duly
599 qualified to be a candidate for the office in the general
600 election; the election for the office shall be dispensed with and
601 the municipal election commission shall declare the candidate
602 elected without opposition if the candidate meets all the
603 qualifications to hold the office as determined pursuant to a
604 review by the commission in accordance with the provisions of
605 subsection (5) of this section and if the candidate has filed all
606 required campaign finance disclosure reports as required by
607 Section 23-15-807.

608 SECTION 7. Section 23-15-627, Mississippi Code of 1972, is
609 amended as follows:

610 23-15-627. The registrar shall be responsible for furnishing

611 an absentee ballot application form to any elector authorized to
612 receive an absentee ballot. Absentee ballot applications shall be
613 furnished to a person only upon the oral or written request of the
614 elector who seeks to vote by absentee ballot; however, the parent,
615 child, spouse, sibling, legal guardian, those empowered with a
616 power of attorney for that elector's affairs or agent of the
617 elector may orally request an absentee ballot application on
618 behalf of the elector. An absentee ballot application must have
619 the seal of the circuit or municipal clerk affixed to it and be
620 initialed by the registrar or his deputy in order to be utilized
621 to obtain an absentee ballot. A reproduction of an absentee
622 ballot application shall not be valid unless it is a reproduction
623 provided by the office of the registrar of the jurisdiction in
624 which the election is being held and which contains the seal and
625 initials required by this section. Such application shall be
626 substantially in the following form:

627 "OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

628 I, _____, duly qualified and registered in the ____ Precinct
629 of the County of _____, and State of Mississippi, coming within
630 the purview of the definition 'ABSENT ELECTOR' will be absent from
631 the county of my residence on election day, or unable to vote in
632 person because (check appropriate reason):

633 () (PRESIDENTIAL APPLICANT ONLY:) I am currently a
634 resident of Mississippi or have moved therefrom within thirty (30)
635 days of the coming presidential election.

636 () I am an enlisted or commissioned member, male or female,
637 of any component of the United States Armed Forces and am a
638 citizen of Mississippi, or spouse or dependent of such member.

639 () I am a member of the Merchant Marine or the American Red
640 Cross and am a citizen of Mississippi or spouse or dependent of
641 such member.

642 () I am a disabled war veteran who is a patient in any
643 hospital and am a citizen of Mississippi or spouse or dependent of
644 such veteran.

645 () I am a civilian attached to and serving outside of the

646 United States with any branch of the Armed Forces or with the
647 Merchant Marine or American Red Cross, and am a citizen of
648 Mississippi or spouse or dependent of such civilian.

649 () I am a citizen of Mississippi temporarily residing
650 outside the territorial limits of the United States and the
651 District of Columbia.

652 () I am a student, teacher or administrator at a college,
653 university, junior or community college, high, junior high,
654 elementary or grade school, whose studies or employment at such
655 institution necessitates my absence from the county of my voting
656 residence or spouse or dependent of such student, teacher or
657 administrator who maintains a common domicile outside the county
658 of my voting residence with such student, teacher or
659 administrator.

660 () I will be outside the county on election day.

661 () I have a temporary or permanent physical disability.

662 () I am sixty-five (65) years of age or older.

663 () I am the parent, spouse or dependent of a person with a
664 temporary or permanent physical disability who is hospitalized
665 outside his county of residence or more than fifty (50) miles away
666 from his residence, and I will be with such person on election
667 day.

668 () I am a member of the congressional delegation, or spouse
669 or dependent of a member of the congressional delegation.

670 () I am required to be at work on election day during the
671 times which the polls will be open.

672 I hereby make application for an official ballot, or ballots,
673 to be voted by me at the election to be held in _____, on _____.

674 Mail 'Absent Elector's Ballot' to me at the following address
675 _____ (if eligible to vote by mail).

676 I realize that I can be fined up to Five Thousand Dollars
677 (\$5,000.00) and sentenced up to five (5) years in the penitentiary
678 for making a false statement in this application and for selling
679 my vote and violating the Mississippi Absentee Voter Law. (This
680 sentence is to be in bold print.)

681 If you are temporarily or permanently disabled, you are not
682 required to have this application notarized or signed by an
683 official authorized to administer oaths for absentee balloting.
684 You are required to sign this application in the proper place and
685 have a person eighteen (18) years of age or older witness your
686 signature and sign this application in the proper place.

687 DO NOT SIGN WITHOUT READING. (This sentence is to be in bold
688 print.)

689 IN WITNESS WHEREOF I have hereunto set my hand and seal this
690 the ____ day of _____, 19__.

691 _____
692 (Signature of absent elector)

693 SWORN TO AND SUBSCRIBED before me this the ____ day of _____,
694 19__.

695 _____
696 (Official authorized to administer oaths for absentee
697 balloting * * *.)

698 TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY
699 DISABLED:

700 I HEREBY CERTIFY that this application for an absent
701 elector's ballot was signed by the above-named disabled elector in
702 my presence and that I am at least eighteen (18) years of age,
703 this the _____ day of _____, 2__.

704 SECTION 8. Section 23-15-631, Mississippi Code of 1972, is
705 amended as follows:

706 23-15-631. (1) The registrar shall enclose with each ballot
707 provided to an absent elector separate printed instructions
708 furnished by him containing the following:

709 (a) All absentee voters, excepting those with temporary
710 or permanent physical disabilities or those who are sixty-five
711 (65) years of age or older, who mark their ballots in the county
712 of the residence shall use the registrar of that county as the
713 witness. Said absentee voter shall come to the office of the
714 registrar and neither the registrar nor his deputy shall be
715 required to go out of the registrar's office to serve as an

716 attesting witness.

717 (b) Upon receipt of the enclosed ballot, you will not
718 mark same except in view or sight of the attesting witness. In
719 the sight or view of the attesting witness, mark the ballot
720 according to instructions.

721 (c) After marking the ballot, fill out and sign the
722 "ELECTOR'S CERTIFICATE" on back of the envelope so that the
723 signature shall be across the flap of the envelope so as to insure
724 the integrity of the ballot. All absent electors shall have the
725 attesting witness sign the "ATTESTING WITNESS CERTIFICATE" across
726 the flap on back of the envelope. Place necessary postage on the
727 envelope and deposit it in the post office or some government
728 receptacle provided for deposit of mail so that the absent
729 elector's ballot, excepting presidential absentee ballots, will
730 reach the registrar in which your precinct is located not later
731 than 5:00 p.m. on the day preceding the date of the election, or
732 by personally delivering such ballot to the registrar's office not
733 later than 12:00 noon on the Saturday immediately preceding
734 elections held on Tuesday, the Thursday immediately preceding
735 elections held on Saturday, and the second day immediately
736 preceding elections held on other days.

737 Any notary public, United States postmaster, assistant United
738 States postmaster, United States postal supervisor, clerk in
739 charge of a contract postal station, or any officer having
740 authority to administer an oath or take an acknowledgment may be
741 an attesting witness; provided, however, that in the case of an
742 absent elector who is temporarily or permanently physically
743 disabled, the attesting witness may be any person eighteen (18)
744 years of age or older and such person is not required to have the
745 authority to administer an oath. If a postmaster, assistant
746 postmaster, postal supervisor, or clerk in charge of a contract
747 postal station acts as an attesting witness, his signature on the
748 elector's certificate must be authenticated by the cancellation
749 stamp of their respective post offices. If one or the other
750 officers herein named acts as attesting witness, his signature on

751 the elector's certificate, together with his title and address,
752 but no seal, shall be required. Any affidavits made by an absent
753 elector who is in the Armed Forces may be executed before a
754 commissioned officer, warrant officer, or noncommissioned officer
755 not lower in grade than sergeant rating or any person authorized
756 to administer oaths.

757 (d) When the application accompanies the ballot it
758 shall not be returned in the same envelope as the ballot but shall
759 be returned in a separate preaddressed envelope provided by the
760 registrar.

761 (e) A person who is a candidate for public office may
762 not be an attesting witness for any absentee ballot upon which the
763 person's name appears.

764 (f) Any voter casting an absentee ballot who declares
765 that he requires assistance to vote by reason of blindness,
766 temporary or permanent physical disability or inability to read or
767 write, shall be entitled to receive assistance in the marking of
768 his absentee ballot and in completing the affidavit on the
769 absentee ballot envelope. The voter may be given assistance by
770 anyone of the voter's choice other than a candidate whose name
771 appears on the absentee ballot being marked, or the voter's
772 employer, or agent of that employer. In order to ensure the
773 integrity of the ballot, any person who provides assistance to an
774 absentee voter shall be required to sign and complete the
775 "Certificate of Person Providing Voter Assistance" on the absentee
776 ballot envelope.

777 (2) The foregoing instructions required to be provided by
778 the registrar to the elector shall also constitute the substantive
779 law pertaining to the handling of absentee ballots by the elector
780 and registrar.

781 SECTION 9. Section 23-15-839, Mississippi Code of 1972, is
782 amended as follows:

783 23-15-839. (1) When a vacancy shall occur in any county or
784 county district office, the same shall be filled by appointment by
785 the board of supervisors of the county, by order entered upon its

786 minutes, where the vacancy occurs, or by appointment of the
787 president of the board of supervisors, by and with the consent of
788 the majority of the board of supervisors, if such vacancy occurs
789 when said board is not in session, and the clerk of the board
790 shall certify to the Secretary of State the fact of the
791 appointment, and the person so appointed shall be commissioned by
792 the Governor; and if the unexpired term be longer than six (6)
793 months, such appointee shall serve until a successor is elected as
794 hereinafter provided, unless the regular special election day on
795 which the vacancy should be filled occurs in a year in which an
796 election would normally be held for that office as provided by
797 law, in which case the person so appointed shall serve the
798 unexpired portion of the term. Such vacancies shall be filled for
799 the unexpired term by the qualified electors at the next regular
800 special election day occurring more than ninety (90) days after
801 the occurrence of the vacancy. The board of supervisors of the
802 county shall, within ten (10) days after the happening of the
803 vacancy, make an order, in writing, directed to the commissioners
804 of election, commanding an election to be held on the next regular
805 special election day to fill the vacancy. The election
806 commissioners shall require each candidate to qualify at least
807 sixty (60) days before the date of the election, and shall give a
808 certificate of election to the person elected, and shall return to
809 the Secretary of State a copy of the order of holding the
810 election, showing the results thereof, certified by the clerk of
811 the board of supervisors. The person elected shall be
812 commissioned by the Governor.

813 * * *

814 (2) In any election ordered pursuant to this section where
815 only one (1) person shall have qualified with the commissioners of
816 election to be a candidate within the time provided by law, the
817 commissioners of election shall certify to the board of
818 supervisors that there is but one (1) candidate. Thereupon, the
819 board of supervisors shall dispense with the election and shall
820 appoint the candidate so certified to fill the unexpired term.

821 The clerk of the board shall certify to the Secretary of State the
822 candidate so appointed to serve in said office and that candidate
823 shall be commissioned by the Governor. In the event that no
824 person shall have qualified by 5:00 p.m. sixty (60) days prior to
825 the date of the election, the commissioners of election shall
826 certify that fact to the board of supervisors which shall dispense
827 with the election and fill the vacancy by appointment. The clerk
828 of the board of supervisors shall certify to the Secretary of
829 State the fact of the appointment, and the person so appointed
830 shall be commissioned by the Governor.

831 SECTION 10. Section 23-15-853, Mississippi Code of 1972, is
832 amended as follows:

833 23-15-853. (1) If a vacancy happens in the representation
834 in Congress, the vacancy shall be filled for the unexpired term by
835 a special election, to be ordered by the Governor, within sixty
836 (60) days after such vacancy occurs, and to be held at a time
837 fixed by his order, and which time shall be not less than forty
838 (40) days after the issuance of the order of the Governor, which
839 shall be directed to the commissioners of election of the several
840 counties of the district, who shall, immediately on the receipt of
841 the order, give notice of the election by publishing the same in
842 some newspaper having a general circulation in the county and by
843 posting notice thereof at the front door of the courthouse. The
844 order shall also be directed to the State Board of Election
845 Commissioners. The election shall be prepared for and conducted,
846 and returns shall be made, in all respects as provided for a
847 special election to fill vacancies.

848 (2) Candidates for the office in such an election must
849 qualify with the Secretary of State by 5:00 p.m. not less than
850 twenty (20) days previous to the date of the election. The
851 commissioners of election shall have printed on the ballot in such
852 special election the name of any candidate who shall have been
853 requested to be a candidate for the office by a petition filed
854 with the Secretary of State and personally signed by not less than
855 one thousand (1,000) qualified electors of the district. The

856 petition shall be filed by 5:00 p.m. not less than twenty (20)
857 days previous to the date of the election.

858 There shall be attached to each petition above provided for,
859 upon the time of filing with said Secretary of State, a
860 certificate from the appropriate registrar or registrars showing
861 the number of qualified electors appearing upon each such petition
862 which the registrar shall furnish to the petitioner upon request.

863 SECTION 11. Section 23-15-857, Mississippi Code of 1972, is
864 amended as follows:

865 23-15-857. (1) When it shall happen that there is any
866 vacancy in a city, town or village office which is elective the
867 unexpired term of which shall not exceed six (6) months, the same
868 shall be filled by appointment by the governing authority or
869 remainder of the governing authority of said city, town or
870 village. The municipal clerk shall certify to the Secretary of
871 State the fact of such appointment, and the person or persons so
872 appointed shall be commissioned by the Governor.

873 (2) When it shall happen that there is any vacancy in an
874 elective office in a city, town or village the unexpired term of
875 which shall exceed six (6) months, the governing authority or
876 remainder of the governing authority of said city, town or village
877 shall make and enter on the minutes an order for an election to be
878 held in such city, town or village to fill the vacancy and fix a
879 date upon which such election shall be held. Such order shall be
880 made and entered upon the minutes at the next regular meeting of
881 the governing authority after such vacancy shall have occurred, or
882 at a special meeting to be held not later than ten (10) days after
883 such vacancy shall have occurred, Saturdays, Sundays and legal
884 holidays excluded, whichever shall occur first. Such election
885 shall be held on a date not less than thirty (30) days nor more
886 than forty-five (45) days after the date upon which the order is
887 adopted.

888 Notice of such election shall be given by the municipal clerk
889 by notice published in a newspaper published in the municipality.

890 Such notice shall be published once each week for three (3)

891 successive weeks preceding the date of such election. The first
892 notice to be published at least thirty (30) days before the date
893 of such election. Notice shall also be given by posting a copy of
894 such notice at three (3) public places in such municipality not
895 less than twenty-one (21) days prior to the date of such election.

896 One (1) of such notices shall be posted at the city, town or
897 village hall. In the event that there is no newspaper published
898 in the municipality, then such notice shall be published as
899 provided for above in a newspaper which has a general circulation
900 within the municipality and by posting as provided for above. In
901 addition, the governing authority may publish such notice in such
902 newspaper for such additional times as may be deemed necessary by
903 the governing authority.

904 Each candidate shall qualify by petition filed with the
905 municipal clerk by 5:00 p.m. at least ten (10) days before the
906 date of the election and such petition shall be signed by not less
907 than the following number of qualified electors:

908 (a) For an office of a city, town or village having a
909 population of one thousand (1,000) or more, not less than fifty
910 (50) qualified electors.

911 (b) For an office of a city, town or village having a
912 population of less than one thousand (1,000), not less than
913 fifteen (15) qualified electors.

914 No qualifying fee shall be required of any candidate, and the
915 election provided for herein shall be held as far as practicable
916 in the same manner as municipal general elections.

917 The candidate receiving a majority of the votes cast in a
918 said election shall be elected. If no candidate shall receive a
919 majority vote at the election, the two (2) candidates receiving
920 the highest number of votes shall have their names placed on the
921 ballot for the election to be held one (1) week thereafter. The
922 candidate receiving a majority of the votes cast in said election
923 shall be elected. However, if no candidate shall receive a
924 majority and there is a tie in the election of those receiving the
925 next highest vote, those receiving the next highest vote and the

926 candidate receiving the highest vote shall have their names placed
927 on the ballot for the election to be held one (1) week thereafter,
928 and whoever receives the most votes cast in such election shall be
929 elected.

930 Should the election to be held one (1) week thereafter result
931 in a tie vote, the candidate to prevail shall be decided by lot,
932 fairly and publicly drawn under the supervision by the election
933 commission with the aid of two (2) or more qualified electors of
934 the municipality.

935 The clerk of the election commission shall then give a
936 certificate of election to the person elected, and shall return to
937 the Secretary of State a copy of the order of holding the election
938 and runoff election showing the results thereof, certified by the
939 clerk of the governing authority. The person elected shall be
940 commissioned by the Governor.

941 However, if nine (9) days prior to the date of the election
942 only one (1) person shall have qualified as a candidate, the
943 governing authority, or remainder of the governing authority,
944 shall dispense with the election and appoint that one (1)
945 candidate in lieu of an election. In the event no person shall
946 have qualified by 5:00 p.m. at least ten (10) days prior to the
947 date of the election, the governing authority or remainder of the
948 governing authority shall dispense with the election and fill the
949 vacancy by appointment. The clerk of the governing authority
950 shall certify to the Secretary of State the fact of the
951 appointment, and the person so appointed shall be commissioned by
952 the Governor.

953 SECTION 12. Section 23-15-977, Mississippi Code of 1972, is
954 amended as follows:

955 23-15-977. (1) All candidates for judicial office as
956 defined in Section 23-15-975 of this subarticle shall file their
957 intent to be a candidate with the proper officials not later than
958 5:00 p.m. on the first Friday after the first Monday in May prior
959 to the general election for judicial office and shall pay to the
960 proper officials the following amounts:

961 (a) Candidates for Supreme Court judge and Court of
962 Appeals, the sum of Two Hundred Dollars (\$200.00).

963 (b) Candidates for circuit judge and chancellor, the
964 sum of One Hundred Dollars (\$100.00).

965 (c) Candidates for county judge and family court judge,
966 the sum of Fifteen Dollars (\$15.00).

967 (2) Candidates for judicial offices listed in paragraphs (a)
968 and (b) of subsection (1) of this section shall file their intent
969 to be a candidate with, and pay the proper assessment made
970 pursuant to subsection (1) of this section to, the State Board of
971 Election Commissioners.

972 (3) Candidates for judicial offices listed in paragraph (c)
973 of subsection (1) of this section shall file their intent to be a
974 candidate with, and pay the proper assessment made pursuant to
975 subsection (1) of this section to, the circuit clerk of the proper
976 county. The circuit clerk shall notify the county commissioners
977 of election of all persons who have filed their intent to be a
978 candidate filed with, and paid the proper assessment to, such
979 clerk. Such notification shall occur within two (2) business days
980 and shall contain all necessary information.

981 SECTION 13. Section 37-5-9, Mississippi Code of 1972, is
982 amended as follows:

983 37-5-9. The name of any qualified elector who is a candidate
984 for the county board of education shall be placed on the ballot
985 used in the general elections by the county election
986 commissioners, provided that the candidate files with the county
987 election commissioners, not more than ninety (90) days and by 5:00
988 p.m. not less than sixty (60) days prior to the date of such
989 general election, a petition of nomination signed by not less than
990 fifty (50) qualified electors of the county residing within each
991 supervisors district. Where there are less than one hundred (100)
992 qualified electors in said supervisors district, it shall only be
993 required that said petition of nomination be signed by at least
994 twenty percent (20%) of the qualified electors of such supervisors
995 district. The candidate in each supervisors district who receives

996 the highest number of votes cast in the district shall be declared
997 elected.

998 When any member of the county board of education is to be
999 elected from the county at large under the provisions of this
1000 chapter, then the petition required by the preceding paragraph
1001 hereof shall be signed by the required number of qualified
1002 electors residing in any part of the county outside of the
1003 territory embraced within a municipal separate school district or
1004 special municipal separate school district. The candidate who
1005 receives the highest number of votes cast in the election shall be
1006 declared elected.

1007 In no case shall any qualified elector residing within a
1008 municipal separate school district or special municipal separate
1009 school district be eligible to sign a petition of nomination for
1010 any candidate for the county board of education under any of the
1011 provisions of this section.

1012 If after the time for candidates to file the petition of
1013 nomination provided for in this section there should be only one
1014 (1) person to qualify for the office of county board of education,
1015 the election shall be dispensed with and such person shall be
1016 declared elected without opposition provided he meets all
1017 qualifications as determined by a review conducted by the election
1018 commission in accordance with the provisions of Section
1019 23-15-299(7).

1020 SECTION 14. Section 37-5-75, Mississippi Code of 1972, is
1021 amended as follows:

1022 37-5-75. If a vacancy shall occur in the office of county
1023 superintendent of education, such vacancy shall be filled by
1024 appointment by the county board of education. If the unexpired
1025 term shall exceed six (6) months, it shall be the duty of the
1026 board of supervisors of the county to call a special election to
1027 fill such vacancy for such unexpired term, which said election
1028 shall be called and held in the manner provided by Section
1029 23-15-839. In such case the person so appointed by the county
1030 board of education shall hold office only until such election is

1031 held and the person elected thereat shall qualify and enter upon
1032 the discharge of his duties.

1033 SECTION 15. Section 37-7-211, Mississippi Code of 1972, is
1034 amended as follows:

1035 37-7-211. Any person otherwise eligible under the provisions
1036 of subsection (1) of Section 37-7-203 who shall desire to be a
1037 candidate for the office of trustee must qualify in the following
1038 manner in order to be allowed to be considered for election. By
1039 5:00 p.m. at least forty (40) days before the election he shall
1040 file with the office of the superintendent of the municipal
1041 separate school district, or the special municipal separate school
1042 district, as the case may be, a petition signed by not less than
1043 twenty-five (25) qualified electors of the area represented by the
1044 office which he seeks, either for a full term or an unexpired
1045 term, as the case may be, and an affidavit by the candidate
1046 offering for election stating his qualifications under the terms
1047 of said sections. The petition shall contain an affidavit
1048 certifying that all signatures are the personal signatures of each
1049 person whose name appears on the petition and that each person is
1050 a qualified elector.

1051 Unless the petition and affidavit required above shall be
1052 filed by 5:00 p.m. not less than forty (40) days prior to the
1053 election, the name of the candidate shall not be considered in the
1054 election, and votes cast for any person who has failed to qualify
1055 shall not be counted in the election.

1056 If after the time for candidates to file the petition and
1057 affidavit provided for herein there should be only one (1) person
1058 to qualify for the office of trustee, then no election or notice
1059 of election shall be necessary and such person shall, if otherwise
1060 qualified, be declared elected without opposition.

1061 SECTION 16. Section 37-7-225, Mississippi Code of 1972, is
1062 amended as follows:

1063 37-7-225. The county election commissioners shall place the
1064 name of any person eligible to hold the office of trustee on the
1065 ballot used in the election, provided that such candidate shall

1066 have filed with the county registrar, not more than ninety (90)
1067 days and by 5:00 p.m. not less than sixty (60) days prior to the
1068 date of such election, a petition of nomination signed by not less
1069 than fifty (50) qualified electors of the school district. Where
1070 there are less than one hundred (100) qualified electors in said
1071 district, it shall only be required that said petition of
1072 nomination be signed by at least twenty percent (20%) of the
1073 qualified electors of such school district. If such person be a
1074 candidate for an unexpired term, he shall indicate the term for
1075 which he is a candidate in such petition; otherwise he shall be
1076 deemed to be a candidate for a full term.

1077 If after the time for candidates to file the petition of
1078 nomination provided for herein there should be only one (1) person
1079 to qualify for the office of trustee, then no election or notice
1080 of election shall be necessary and such person shall, if otherwise
1081 qualified, be declared elected without opposition.

1082 SECTION 17. Section 23-15-681, Mississippi Code of 1972, is
1083 amended as follows:

1084 23-15-681. All official absentee ballots shall be sent out
1085 and returned in envelopes on which there is printed across the
1086 face two (2) parallel horizontal * * * bars, each one-fourth (1/4)
1087 of an inch wide, extending from one side of the envelope to the
1088 other side, with an intervening space of one-fourth (1/4) of an
1089 inch, the top bar to be one and one-fourth (1-1/4) inches from the
1090 top of the envelope, and with the words "OFFICIAL ELECTION
1091 BALLOTING MATERIAL-VIA AIR MAIL" between the bars. In the upper
1092 right corner of each such envelope there shall be printed in a box
1093 the words "FREE OF U.S. POSTAGE, INCLUDING AIR MAIL." All
1094 printing on the face of such envelopes shall be in black, and
1095 there shall be printed in black in the upper left corner of all
1096 such ballot envelopes an appropriate inscription for the return
1097 address of the sender.

1098 SECTION 18. Nothing in this act shall be construed to
1099 supercede, interfere or impede the provisions of Section 38,
1100 Mississippi Constitution of 1890, which provides that each house

1101 of the Legislature shall judge the qualifications, return and
1102 election of its own members.

1103 SECTION 19. The Attorney General of the State of Mississippi
1104 is hereby directed to submit this act, immediately upon approval
1105 by the Governor, or upon approval by the Legislature subsequent to
1106 a veto, to the Attorney General of the United States or to the
1107 United States District Court for the District of Columbia in
1108 accordance with the provisions of the Voting Rights Act of 1965,
1109 as amended and extended.

1110 SECTION 20. This act shall take effect and be in force from
1111 and after the date it is effectuated under Section 5 of the Voting
1112 Rights Act of 1965, as amended and extended.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTIONS 23-15-39, 23-15-213, 23-15-299,
223-15-309, 23-15-359, 23-15-361, 23-15-627, 23-15-631, 23-15-839,
323-15-853, 23-15-857, 23-15-977, 37-5-9, 37-5-75, 37-7-211 AND
437-7-225, MISSISSIPPI CODE OF 1972, TO CLARIFY THE APPLICATION FOR
5REGISTRATION AS A VOTER; TO PROVIDE THAT THE QUALIFYING DEADLINE
6FOR ALL ELECTIVE OFFICES SHALL BE AT 5:00 P.M. ON THE LAST DAY
7UPON WHICH A CANDIDATE MAY QUALIFY FOR ELECTIVE OFFICE; TO CLARIFY
8THE MANNER IN WHICH THE QUALIFICATIONS OF CANDIDATES FOR ELECTIVE
9OFFICE ARE EXAMINED; TO REQUIRE THAT COPIES OF THE STATEMENTS
10REQUIRED TO BE FILED WITH THE STATE EXECUTIVE COMMITTEE BY
11CANDIDATES FOR PARTY NOMINATION BE TRANSMITTED TO AND RECEIVED BY
12THE OFFICE OF THE SECRETARY OF STATE BY NOT LATER THAN 6:00 P.M.
13ON THE DATE OF THE QUALIFYING DEADLINE; TO PROHIBIT PERSONS FROM
14QUALIFYING FOR OFFICE BEFORE JANUARY 1 OF THE YEAR IN WHICH THE
15ELECTION IS TO OCCUR; TO PROVIDE THAT IN CASES IN WHICH ONLY ONE
16CANDIDATE HAS QUALIFIED FOR AN ELECTIVE OFFICE THAT SUCH CANDIDATE
17SHALL BE DECLARED ELECTED; TO CLARIFY THAT ABSENTEE BALLOTS OF
18ELECTORS WHO ARE AUTHORIZED TO VOTE BY MAIL MUST BE MAILED TO THE
19ELECTOR; TO PROVIDE FOR A CERTIFICATE ON THE ABSENTEE BALLOT
20ENVELOPE THAT MUST BE COMPLETED BY PERSONS WHO WITNESS THE
21SIGNATURE OF A VOTER WHO IS TEMPORARILY OR PERMANENTLY DISABLED;
22TO PROHIBIT CANDIDATES FROM QUALIFYING FOR OFFICE USING THE
23INTERNET; TO AMEND SECTION 23-15-681, MISSISSIPPI CODE OF 1972, TO
24CHANGE THE COLOR OF INK USED FOR ABSENTEE BALLOT ENVELOPES; TO
25PROVIDE THAT THIS ACT SHALL NOT SUPERCEDE SECTION 38, MISSISSIPPI
26CONSTITUTION OF 1890; AND FOR RELATED PURPOSES.