MISSISSIPPI LEGISLATURE

By: Representative Bowles

REGULAR SESSION 2001

To: Apportionment and Elections

HOUSE BILL NO. 7

AN ACT TO PROVIDE THAT AN ELECTED PUBLIC OFFICIAL AND CERTAIN APPOINTED PUBLIC OFFICIALS MAY NOT QUALIFY AS A CANDIDATE FOR ANOTHER ELECTIVE PUBLIC OFFICE UNLESS HE RESIGNS FROM THE OFFICE THAT HE CURRENTLY HOLDS; AND FOR RELATED PURPOSES.

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

SECTION 1. A person who holds an elective public office, whether state, county, district or municipal, or an appointed office for a definite term, whether state, county, district or municipal may not qualify as a candidate for a different elective public office, unless he resigns from the office that he holds not later than the earlier of (a) the date on which he would otherwise qualify for the other office that he intends to seek; or (b) the date he accepts or consents to the acceptance by another person of a contribution, as defined in Section 23-15-801, to be used for his benefit in seeking election to the different office. The resignation shall be executed by the official in writing, irrevocably resigning from the office that he holds, and shall be directed and presented to: the Governor, in the case of a state or multicounty district official; to the county board of supervisors, in the case of a county official; to the municipal governing authority, in the case of a municipal official; and to the Lieutenant Governor, in the case where the Governor resigns. Any resignation shall create a vacancy in the office, and the vacancy shall be filled in the manner provided by law.

SECTION 2. The Attorney General of the State of Mississippi shall submit this act, immediately upon approval by the Governor, or upon approval by the Legislature subsequent to a veto, to the Attorney General of the United States or to the United States
SECTION 3. This act shall take effect and be in force from and after the date it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended.