

By: Representative Mayo

To: Municipalities;  
Apportionment and Elections

HOUSE BILL NO. 183

1 AN ACT TO AMEND SECTIONS 23-15-171 AND 23-15-173, MISSISSIPPI  
2 CODE OF 1972, TO POSTPONE THE 2001 MUNICIPAL ELECTIONS FOR ONE  
3 YEAR; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 23-15-171, Mississippi Code of 1972, is  
6 amended as follows:

7 23-15-171. (1) Municipal primary elections shall be held on  
8 the first Tuesday in May preceding the general municipal election  
9 and, in the event a second primary shall be necessary, such second  
10 primary shall be held on the third Tuesday in May preceding such  
11 general municipal election. At such primary election the  
12 municipal executive committee shall perform the same duties as are  
13 specified by law and performed by members of the county executive  
14 committee with regard to state and county primary elections. Each  
15 municipal executive committee shall have as many members as there  
16 are elective officers of the municipality, and such members of the  
17 municipal executive committee of each political party shall be  
18 elected in the primary elections held for the nomination of  
19 candidates for municipal offices. The provisions of this section  
20 shall govern all municipal primary elections as far as applicable,  
21 but the officers to prepare the ballots and the managers and other  
22 officials of the primary election shall be appointed by the  
23 municipal executive committee of the party holding such primary,  
24 and the returns of such election shall be made to such municipal  
25 executive committee. Vacancies in the executive committee shall be  
26 filled by it.



27           (2) Provided, however, that in municipalities operating  
28 under a special or private charter which fixes a time for holding  
29 elections, other than the time fixed by Chapter 491, Laws of 1950,  
30 the first primary election shall be held exactly four (4) weeks  
31 before the time for holding the general election, as fixed by the  
32 charter, and the second primary election, where necessary, shall  
33 be held two (2) weeks after the first primary election, unless the  
34 charter of any such municipality provides otherwise, in which  
35 event the provisions of the special or private charter shall  
36 prevail as to the time of holding such primary elections.

37           (3) All primary elections in municipalities shall be held  
38 and conducted in the same manner as is provided by law for state  
39 and county primary elections.

40           (4) The primary election for municipalities scheduled for  
41 2001 shall be held in 2002 and the candidates elected shall serve  
42 a term of three (3) years. Those persons serving in municipal  
43 elective offices shall serve an additional year. This subsection  
44 shall stand repealed on January 1, 2003.

45           SECTION 2. Section 23-15-173, Mississippi Code of 1972, is  
46 amended as follows:

47           23-15-173. (1) A general municipal election shall be held  
48 in each city, town or village on the first Tuesday after the first  
49 Monday of June 1985, and every four (4) years thereafter, for the  
50 election of all municipal officers elected by the people.

51           (2) All municipal general elections shall be held and  
52 conducted in the same manner as is provided by law for state and  
53 county general elections.

54           (3) The general municipal election scheduled for 2001 shall  
55 be held in 2002 and the candidates elected shall serve a term of  
56 three (3) years. Those persons serving in municipal elective  
57 offices shall serve an additional year. This subsection shall  
58 stand repealed on January 1, 2003.



59 SECTION 3. The Attorney General of the State of Mississippi  
60 shall submit this act, immediately upon approval by the Governor,  
61 or upon approval by the Legislature subsequent to a veto, to the  
62 Attorney General of the United States or to the United States  
63 District Court for the District of Columbia in accordance with the  
64 provisions of the Voting Rights Act of 1965, as amended and  
65 extended.

66 SECTION 4. This act shall take effect and be in force from  
67 and after the date it is effectuated under Section 5 of the Voting  
68 Rights Act of 1965, as amended and extended.

