MISSISSIPPI LEGISLATURE

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

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

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 This subsection shall stand repealed on January 1, 2003.

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

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

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

(3) The general municipal election scheduled for 2001 shall be held in 2002 and the candidates elected shall serve a term of three (3) years. Those persons serving in municipal elective offices shall serve an additional year. This subsection shall stand repealed on January 1, 2003.
SECTION 3. 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 District Court for the District of Columbia in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended.

SECTION 4. 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.