

By: Representatives Gibbs, Coleman (29th),
Dickson, Green, Henderson, Thomas

To: Fees and Salaries of
Public Officers;
Appropriations

HOUSE BILL NO. 826

1 AN ACT TO CREATE THE MISSISSIPPI HUMAN RELATIONS ACT OF 2001;
2 TO SET OUT THE LEGISLATURE'S FINDINGS THAT DISCRIMINATION IS
3 UNLAWFUL AND IN CONFLICT WITH THE IDEAS OF THE STATE OF
4 MISSISSIPPI AND THE NATION; TO CREATE THE MISSISSIPPI HUMAN
5 RELATIONS COMMISSION; TO SET OUT THE POWERS AND DUTIES OF THE
6 MISSISSIPPI HUMAN RELATIONS COMMISSION; TO REQUIRE ALL STATE
7 AGENCIES TO COOPERATE WITH THE MISSISSIPPI HUMAN RELATIONS
8 COMMISSION IN IMPLEMENTING THE PROVISIONS OF THIS ACT; AND FOR
9 RELATED PURPOSES.

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

11 SECTION 1. This act shall be known and may be cited as the
12 "Mississippi Human Relations Act of 2001."

13 SECTION 2. (1) The Legislature finds that the practice of
14 discrimination against an individual because of race, religion,
15 color, sex, age, national origin or disability is a matter of
16 state concern and declares that this discrimination is unlawful
17 and in conflict with the ideas of the State of Mississippi and the
18 nation. This type of discrimination interferes with the
19 opportunities of an individual to receive and enjoy employment,
20 housing and public accommodations.

21 (2) The Mississippi Human Relations Act of 2001 shall be
22 construed according to the fair import of its terms and shall be
23 liberally construed to further the general purposes stated in this
24 act and the special purposes of the particular provision involved.

25 SECTION 3. (1) There is created the Mississippi Commission
26 on Human Relations comprised of nine (9) members. Three (3)
27 members shall be appointed by the Governor, three (3) by the
28 Lieutenant Governor and three (3) by the Speaker of the House of
29 Representatives. All shall be subject to confirmation by the



30 Senate. No more than five (5) of the members shall at any time be
31 of the same political party.

32 (2) The Governor shall appoint a member from the body to
33 serve as chairperson for a two (2) year term of office and a vice
34 chairperson who shall preside in the absence of the chairperson or
35 in situations when the chairperson is excused.

36 (3) The members of the commission shall be representatives
37 of various racial, religious, ethnic, social, economic, political
38 and professional groups within the state and at least one (1)
39 member of the commission must be sixty (60) years of age or older.

40 (4) The term of office of each member of the commission
41 shall be six (6) years. The initial terms of the members shall be
42 as follows:

43 (a) Three (3) members shall serve for two (2) years;

44 (b) Three (3) members shall serve for four (4) years;

45 and

46 (c) Three (3) members shall serve for six (6) years.

47 Thereafter, all terms shall be for six (6) years. An
48 appointment to fill a vacancy which arises for reasons other than
49 by expiration of a term of office shall be made for the unexpired
50 term only. Any vacancy in the commission shall not affect its
51 powers and shall be filled in the same manner and subject to the
52 same limitation with respect to party affiliation as the original
53 appointment was made. The Governor may suspend a member of the
54 commission only for cause, subject to removal or reinstatement by
55 the Senate.

56 (5) Five (5) members shall constitute a quorum for the
57 conduct of business; however, the commission may establish
58 subcommittees of not less than three (3) of its members to
59 exercise its powers under the Mississippi Human Relations Act of
60 2001, subject to such procedures and limitations as the commission
61 may provide by rule.



62 (6) The members of the commission shall receive no annual
63 salary but shall be reimbursed for actual expenses incurred in the
64 performance of their duties and shall receive per diem
65 compensation as authorized by law for attending official meetings
66 of the commission.

67 (7) The commission created by this act is assigned to the
68 Office of the Governor for administrative purposes. The
69 commission, in the performance of its duties under the Mississippi
70 Human Relations Act of 2001, shall not be subject to the control,
71 supervision or direction of the Office of the Governor.

72 SECTION 4. The commission shall:

73 (a) Promote and encourage fair treatment, equal
74 opportunity for all persons regardless of race, color, religion,
75 sex, national origin, age or disability and a mutual understanding
76 between the respective groups;

77 (b) Promote and encourage respect among all members of
78 all economic, social, racial, religious and ethnic groups;

79 (c) Endeavor to eliminate discrimination against and
80 antagonism between religious, racial and ethnic groups and their
81 members.

82 SECTION 5. Within the limitations provided by law, the
83 Mississippi Human Relations Commission shall have the following
84 powers and duties:

85 (a) To maintain an office in Jackson, Mississippi, and
86 such other offices within the state as necessary;

87 (b) To conduct hearings, gather testimony and perform
88 other functions necessary to carry out its powers and duties as
89 prescribed by statute;

90 (c) To appoint an executive director and such other
91 staff as necessary, to fix their compensation with the approval of
92 the Governor and to delegate any of its functions and duties to
93 its employees in the interest of the efficient management of the
94 appropriations and resources of the agency;



95 (d) To cooperate with federal agencies under the
96 provisions of Titles VI and VII of the 1964 Civil Rights Act, as
97 amended, and Title VIII of the 1968 Civil Rights Act, as amended,
98 in order to achieve the purposes of those acts, and with other
99 Federal agencies in order to achieve the purposes of the
100 Mississippi Human Relations Act of 2001;

101 (e) To accept grants to help finance its activities;

102 (f) To become a deferral agency for the Federal
103 government and to comply with the necessary federal regulations to
104 effectuate the provisions of this act;

105 (g) To receive, initiate, investigate, seek to
106 conciliate, hold hearings on and pass upon complaints alleging
107 violations of applicable law;

108 (h) To furnish technical assistance requested by
109 persons to facilitate progress in human relations;

110 (i) To study and report on problems of discrimination
111 because of race, creed, color, religion, sex, age, national origin
112 or disability so as to effectuate the purposes and policies of
113 this act or applicable law and to make the results thereof
114 available to the public;

115 (j) To render, at least annually, a comprehensive
116 written report to the Governor and to the Legislature. The report
117 may contain the recommendations of the commission for legislative
118 action or other action to effectuate the purposes of this act;

119 (k) To adopt, promulgate, amend and rescind rules and
120 regulations to effectuate the purposes and provisions of this act,
121 including regulations requiring the posting of notices prepared or
122 approved by the commission; and

123 (l) To cooperate with community, professional, civic
124 and religious organizations, federal agencies and agencies from
125 other states in the development of public information programs,
126 leadership development initiatives and activities in the interest
127 of equal opportunity and treatment of all individuals.



128 SECTION 6. All departments, commissions, boards, agencies
129 and officers of the state shall cooperate with the Mississippi
130 Human Relations Commission in implementing the provisions of this
131 act.

132 SECTION 7. This act shall take effect and be in force from
133 and after July 1, 2001.

