MISSISSIPPI LEGISLATURE
REGULAR SESSION 2001

By: Representatives Gibbs, Coleman (29th), Dickson, Green, Henderson, Thomas
To: Fees and Salaries of Public Officers; Appropriations

HOUSE BILL NO. 826

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

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

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

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

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

SECTION 3. (1) There is created the Mississippi Commission
on Human Relations comprised of nine (9) members. Three (3)
members shall be appointed by the Governor, three (3) by the
Lieutenant Governor and three (3) by the Speaker of the House of
Representatives. All shall be subject to confirmation by the
Senate. No more than five (5) of the members shall at any time be of the same political party.

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

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

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

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

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

and

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

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

(5) Five (5) members shall constitute a quorum for the conduct of business; however, the commission may establish subcommittees of not less than three (3) of its members to exercise its powers under the Mississippi Human Relations Act of 2001, subject to such procedures and limitations as the commission may provide by rule.
(6) The members of the commission shall receive no annual salary but shall be reimbursed for actual expenses incurred in the performance of their duties and shall receive per diem compensation as authorized by law for attending official meetings of the commission.

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

SECTION 4. The commission shall:

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

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

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

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

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

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

(c) To appoint an executive director and such other staff as necessary, to fix their compensation with the approval of the Governor and to delegate any of its functions and duties to its employees in the interest of the efficient management of the appropriations and resources of the agency;
(d) To cooperate with federal agencies under the provisions of Titles VI and VII of the 1964 Civil Rights Act, as amended, and Title VIII of the 1968 Civil Rights Act, as amended, in order to achieve the purposes of those acts, and with other Federal agencies in order to achieve the purposes of the Mississippi Human Relations Act of 2001;

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

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

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

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

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

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

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

(l) To cooperate with community, professional, civic and religious organizations, federal agencies and agencies from other states in the development of public information programs, leadership development initiatives and activities in the interest of equal opportunity and treatment of all individuals.
SECTION 6. All departments, commissions, boards, agencies and officers of the state shall cooperate with the Mississippi Human Relations Commission in implementing the provisions of this act.

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