HOUSE BILL NO. 1274


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

SECTION 1. Section 23-15-193, Mississippi Code of 1972, is amended as follows:

23-15-193. At the election in 1995, and every four (4) years thereafter, there shall be elected a Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, three (3) public service commissioners, three (3) Mississippi Transportation Commissioners, Commissioner of Insurance, Commissioner of Agriculture and Commerce, Senators and members of the House of Representatives in the Legislature, district attorneys for the several districts, clerks of the circuit and chancery courts of the several counties, as well as sheriffs, coroners, assessors, surveyors and members of the boards of supervisors, justice court judges and constables, and all other officers to be elected by the people at the general state election. All such officers shall hold their offices for a term of four (4) years, and until their successors are elected and qualified. The state officers shall be elected in the manner prescribed in Section 23-15-605.

SECTION 2. Section 23-15-605, Mississippi Code of 1972, is amended as follows:

23-15-605. The Secretary of State, immediately after receiving the returns of an election, not longer than thirty (30)
days after the election, shall sum up the whole number of votes
given for each candidate, ascertain the person or persons
having the largest number of votes for each office, and declare
such person or persons to be duly elected; and thereupon all
persons chosen to any office at the election shall be commissioned
by the Governor; but if it appears that two (2) or more candidates
for any district office where the district is composed of two (2)
more counties, standing highest on the list, and not elected,
have an equal number of votes, the election shall be forthwith
decided between the candidates having an equal number of votes by
lot, fairly and publicly drawn, under the direction of the
Governor and Secretary of State.

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 that House Concurrent Resolution No. ______,
2001 Regular Session, is ratified by the electorate, provided that
this act is effectuated under Section 5 of the Voting Rights Act
of 1965, as amended and extended.