SENATE BILL NO. 2461

AN ACT TO REQUIRE A REFERENDUM ON THE CONTINUATION OR
ABOLITION OF THE OFFICE OF ELECTED SUPERINTENDENT OF EDUCATION IN
ANY COUNTY HAVING A SCHOOL DISTRICT WHICH HAS LOST ITS
ACCREDITATION; AND FOR RELATED PURPOSES.

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

SECTION 1. The qualified electors of any county (a) having
an elected county superintendent of education, and (b) in which is
located a school district which has had its accreditation
withdrawn by the State Board of Education for a period of at least
two (2) years, and as of January 1, 2001, has not had its
accreditation status reinstated, shall decide at the November 2002
general election whether to continue to have such office elected,
or to abolish such office of elected county superintendent of
education in the county. On July 1, 2001, the State Board of
Education shall certify to the board of supervisors of any county
meeting the criteria specified above that an election on the
question of retaining the office of elected county superintendent
of education is required by law in such county. The county board
of supervisors of such counties shall publish notice of said
election once a week for at least three (3) consecutive weeks
prior to the November 2002 general election in at least one (1)
newspaper published or circulated in such county. The proposition
shall be submitted to a vote of all qualified electors residing
outside the territory of any municipal separate or special
municipal separate school district located within such county.
Such election shall be held in the same manner as other elections
are held in the county. If a majority of the qualified electors
who voted in such election vote in favor of the abolition of such office, such abolishment shall be effective at the end of the regular term of office beginning on January 1, 2003, or whenever a vacancy shall occur in said office, whichever occurs first. In counties where the office of elected county superintendent of education has been abolished as provided herein, the elected office shall not be reinstated, and the county board of education shall be authorized to appoint a superintendent of schools in the manner provided by law.

SECTION 2. The Attorney General of the State of Mississippi is hereby directed to 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 3. 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.