

By: Senator(s) Hamilton

To: Education

SENATE BILL NO. 2461

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

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

6 SECTION 1. The qualified electors of any county (a) having
7 an elected county superintendent of education, and (b) in which is
8 located a school district which has had its accreditation
9 withdrawn by the State Board of Education for a period of at least
10 two (2) years, and as of January 1, 2001, has not had its
11 accreditation status reinstated, shall decide at the November 2002
12 general election whether to continue to have such office elected,
13 or to abolish such office of elected county superintendent of
14 education in the county. On July 1, 2001, the State Board of
15 Education shall certify to the board of supervisors of any county
16 meeting the criteria specified above that an election on the
17 question of retaining the office of elected county superintendent
18 of education is required by law in such county. The county board
19 of supervisors of such counties shall publish notice of said
20 election once a week for at least three (3) consecutive weeks
21 prior to the November 2002 general election in at least one (1)
22 newspaper published or circulated in such county. The proposition
23 shall be submitted to a vote of all qualified electors residing
24 outside the territory of any municipal separate or special
25 municipal separate school district located within such county.
26 Such election shall be held in the same manner as other elections
27 are held in the county. If a majority of the qualified electors

28 who voted in such election vote in favor of the abolition of such
29 office, such abolishment shall be effective at the end of the
30 regular term of office beginning on January 1, 2003, or whenever a
31 vacancy shall occur in said office, whichever occurs first. In
32 counties where the office of elected county superintendent of
33 education has been abolished as provided herein, the elected
34 office shall not be reinstated, and the county board of education
35 shall be authorized to appoint a superintendent of schools in the
36 manner provided by law.

37 SECTION 2. The Attorney General of the State of Mississippi
38 is hereby directed to submit this act, immediately upon approval
39 by the Governor, or upon approval by the Legislature subsequent to
40 a veto, to the Attorney General of the United States or to the
41 United States District Court for the District of Columbia in
42 accordance with the provisions of the Voting Rights Act of 1965,
43 as amended and extended.

44 SECTION 3. This act shall take effect and be in force from
45 and after the date it is effectuated under Section 5 of the Voting
46 Rights Act of 1965, as amended and extended.