

By: Senator(s) Cuevas

To: Elections

SENATE BILL NO. 2545

1 AN ACT TO AMEND SECTION 23-15-191, MISSISSIPPI CODE OF 1972,  
2 TO CHANGE THE DATE OF THE FIRST PRIMARY ELECTION FROM THE FIRST  
3 TUESDAY AFTER THE FIRST MONDAY IN AUGUST TO THE FIRST TUESDAY  
4 AFTER THE FIRST MONDAY IN SEPTEMBER; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 23-15-191, Mississippi Code of 1972, is  
7 amended as follows:

8 23-15-191. The first primary shall be held on the first  
9 Tuesday after the first Monday of September preceding any regular  
10 or general election; and the second primary shall be held three  
11 (3) weeks thereafter. Any candidate who receives the highest  
12 popular vote cast for the office which he seeks in the first  
13 primary shall thereby become the nominee of the party for such  
14 office; provided also it be a majority of all the votes cast for  
15 that office. If no candidate receive such majority of popular  
16 votes in the first primary, then the two (2) candidates who  
17 receive the highest popular vote for such office shall have their  
18 names submitted as such candidates to a second primary, and the  
19 candidate who leads in such second primary shall be nominated to  
20 the office. When there is a tie in the first primary of those  
21 receiving next highest vote, these two (2) and the one (1)  
22 receiving the highest vote, none having received a majority, shall  
23 go into the second primary, and whoever leads in such second  
24 primary shall be entitled to the nomination.

25 SECTION 2. The Attorney General of the State of Mississippi  
26 shall submit this act, immediately upon approval by the Governor,  
27 or upon approval by the Legislature subsequent to a veto, to the

28 Attorney General of the United States or to the United States  
29 District Court for the District of Columbia in accordance with the  
30 provisions of the Voting Rights Act of 1965, as amended and  
31 extended.

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