AN ACT TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION 21-1-54, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY MUNICIPALITY HAVING A POPULATION OF AT LEAST 100,000 TO BE ABOLISHED AND DISSOLVED UPON APPROVAL BY A MAJORITY OF THE QUALIFIED ELECTORS OF THE MUNICIPALITY IN AN ELECTION HELD FOR SUCH PURPOSE; TO PRESCRIBE THE MANNER AND PROCEDURE FOR CONDUCTING SUCH AN ELECTION; AND FOR RELATED PURPOSES.

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

SECTION 1. The following shall be codified as Section 21-1-54, Mississippi Code of 1972:

21-1-54. (1) Any municipal corporation having a population of more than one hundred thousand (100,000), according to the latest federal decennial census, may be abolished and dissolved upon approval by the municipal electors at a referendum called for such purpose. The referendum may be called by a resolution adopted by the municipal governing authorities or by petition of the municipal electors. If a resolution is adopted calling for such a referendum, the resolution must set forth in full the reason or reasons why the municipality should be abolished and why the public convenience and necessity would be served by the abolition of the municipality. A referendum may be called by the municipal electors upon the presentation and filing with the municipal governing authorities of a petition requesting a referendum signed by at least five percent (5%) of the qualified electors of the municipality.

(2) Upon the adoption of a resolution or the filing of a petition under subsection (1) of this section, it shall be the duty of the governing authorities of the municipality to call an election at which there shall be submitted to the qualified
electors of the municipality the question of whether or not the
municipality should be abolished and dissolved. The election
shall be held and conducted by the municipal election
commissioners on a date fixed by order of the governing
authorities of the municipality, which date shall not be more than
sixty (60) days from the date of the filing of the petition or
adoption of the resolution. Notice of the election shall be given
by publishing the notice once each week for at least three (3)
consecutive weeks in a newspaper published or having a general
circulation in the municipality. The election shall be held not
earlier than fifteen (15) days from the first publication of the
notice.

(3) An election held under the provisions of this section
shall be held and conducted, as nearly as practicable, in the same
manner as provided by law for the holding of general elections.
The ballots used at the election shall contain a brief statement
of the proposition submitted and, on separate lines, the words "I
vote FOR abolishing and dissolving the municipality" and "I vote
AGAINST abolishing and dissolving the municipality," with
appropriate boxes in which the voters may express their choice.
All qualified electors of the municipality may vote by marking the
ballot with a cross (x) or check mark (√) opposite the words of
their choice.

(4) The election commissioners shall canvass and determine
the results of an election held under this section and shall
certify the results to the governing authorities of the
municipality, which shall adopt and spread upon its minutes an
order declaring the results. If a majority of the qualified
electors participating in the election vote in favor of the
proposition, then the governing authorities shall take the
necessary steps to abolish and dissolve the municipality and shall
forward a certified notice to the Secretary of State.
(5) Whenever a municipal corporation is abolished under the provisions of this section, the governing authorities shall forward to the Secretary of State a certified copy of the action, which shall be filed in the Office of the Secretary of State and remain a permanent record of the office. The Secretary of State shall note on his official records pertaining to the municipal corporation the fact that the corporation has been abolished.

SECTION 2. 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 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.