SENATE BILL NO. 2259

AN ACT ENTITLED THE "MISSISSIPPI HUMAN RELATIONS ACT OF 2002"; TO ESTABLISH AND EMPOWER A MISSISSIPPI COMMISSION ON HUMAN RELATIONS; TO REQUIRE THE COOPERATION OF STATE AGENCIES; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) This act shall be cited as the "Mississippi Human Relations Act of 2002."

(2) This act is an expression of the concern of the state for the promotion of harmony and the betterment of human relations. The State Legislature declares the practice of discrimination against an individual because of race, religion, color, sex, age, national origin or disability as a matter of state concern and declares that this discrimination is unlawful and in conflict with the ideas of the State of Mississippi and the nation. This type of discrimination interferes with opportunities of the individual to receive and enjoy employment, housing and public accommodations.

(3) The Mississippi Human Relations Act of 2002 shall be construed according to the fair import of its terms and shall be construed to further the general purposes stated in this section and the special purposes of the particular provision involved.

SECTION 2. (1) There is hereby created the Mississippi Commission on Human Relations, comprised of nine (9) members. Of the nine (9) members, three (3) shall be appointed by the Governor, three (3) by the Lieutenant Governor, and three (3) by the Speaker of the Mississippi House of Representatives. All shall be subject to confirmation by the Senate. No more than five
(5) of the members shall at any time be of the same political party.

(2) The Governor shall appoint a member from the body to serve as chairperson for a two-year term of office.

(3) The members of the commission must be broadly representative of various racial, gender, religious, ethnic, socioeconomic, political and professional or trade groups within the state; and at least one (1) member of the commission shall be sixty (60) years of age or older.

(4) The term of office of each member of the commission shall be six (6) years; except that members first taking office shall serve as designated by the appointing authority as follows:

(a) One (1) person for a term of two (2) years;
(b) One (1) person for a term of four (4) years; and
(c) One (1) person for a term of six (6) years.

(5) A member chosen to fill a vacancy otherwise than by expiration of term shall be appointed for the unexpired term of the member whom such appointee is to succeed.

(6) Any vacancy in the commission shall not affect its powers and shall be filled in the same manner and subject to the same limitation with respect to party affiliation as the original appointment was made.

(7) The Governor may suspend a member of the commission only for just cause, subject to removal or reinstatement by the Senate.

(8) Five (5) members shall constitute a quorum for the conduct of business; however, the commission may establish subcommittees of not less than three (3) of its members to exercise its powers under the Mississippi Human Relations Act of 2001, subject to such procedures and limitations as the commission may provide by rule.

(9) The members of the Mississippi Human Relations Commission shall be reimbursed for actual expenses incurred in the performance of their duties, and shall receive a per diem as
authorized by Section 25-3-69, Mississippi Code of 1972, for
attending official meetings of the commission.

(10) The commission created by this act is assigned to the
Office of the Governor for budgetary administrative purposes. The
commission, in the performance of its duties pursuant to the
Mississippi Human Relations Act of 2002, shall not operate as an
independent body.

(11) The commission shall be funded through the Office of
the Governor.

SECTION 3. The commission shall promote and encourage fair
treatment and equal opportunity for all persons regardless of
race, color, religion, sex, national origin, age or disability and
mutual understanding and respect among all members of all
economic, social, racial, gender, religious and ethnic groups, and
shall endeavor to eliminate discrimination against, and antagonism
between, religious, racial and ethnic groups.

SECTION 4. Within the limitations provided by law, the
commission shall have the following powers:

(a) To maintain an office in Jackson;
(b) To meet and exercise its powers within the state;
(c) To appoint an executive director and such other
staff as necessary, to fix their compensation with the approval of
the Governor, and to delegate any of its functions and duties to
its employees in the interest of efficient management of the
appropriations and resources of the agency;
(d) To cooperate with federal agencies under the
provisions of Titles VI and VII of the 1964 Civil Rights Act, as
amended, and Title VIII of the 1968 Civil Rights Act, as amended,
in order to achieve the purpose of those acts, and with other
federal agencies in order to achieve the purposes of the
Mississippi Human Relations Act of 2002;
(e) To accept public and private grants to help finance
its activities;
(f) To receive, initiate, investigate, seek to conciliate for the purpose of receiving funding and refer complaints alleging violations of applicable law;

(g) To furnish technical assistance requested by persons to facilitate progress in human relations;

(h) To conduct hearings, study and report on discrimination because of race, creed, color and other human rights issues so as to effectuate the purposes and policies of this act or applicable law, and make public the results thereof;

(i) To render, at least annually, a comprehensive written report to the Governor, Attorney General and to the State Legislature. The report shall contain recommendations of the commission for legislative or other action to effectuate the purposes of this act;

(j) To adopt, promulgate, amend and rescind rules and regulations to effectuate the purposes and provisions of this act; and

(k) To cooperate with community, professional, trade, civic and religious organizations, federal agencies and agencies from other states in the development of public information programs, leadership and activities in the interest of equal opportunity and fair treatment of all individuals.

SECTION 5. All departments, commissions, boards, agencies and officers of the state are authorized and directed to cooperate with the Mississippi Human Relations Commission in implementing the provisions of this act.

SECTION 6. This act shall take effect and be in force from and after July 1, 2002.