

By: Representative Bowles

To: Apportionment and
Elections

HOUSE BILL NO. 385

1 AN ACT TO PROVIDE THAT AN ELECTED PUBLIC OFFICIAL AND CERTAIN
2 APPOINTED PUBLIC OFFICIALS MAY NOT QUALIFY AS A CANDIDATE FOR
3 ANOTHER ELECTIVE PUBLIC OFFICE UNLESS HE RESIGNS FROM THE OFFICE
4 THAT HE CURRENTLY HOLDS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** A person who holds an elective public office,
7 whether state, county, district or municipal, or an appointed
8 office for a definite term, whether state, county, district or
9 municipal may not qualify as a candidate for a different elective
10 public office, unless he resigns from the office that he holds not
11 later than the earlier of (a) the date on which he would otherwise
12 qualify for the other office that he intends to seek; or (b) the
13 date he accepts or consents to the acceptance by another person of
14 a contribution, as defined in Section 23-15-801, to be used for
15 his benefit in seeking election to the different office. The
16 resignation shall be executed by the official in writing,
17 irrevocably resigning from the office that he holds, and shall be
18 directed and presented to: the Governor, in the case of a state
19 or multicounty district official; to the county board of
20 supervisors, in the case of a county official; to the municipal
21 governing authority, in the case of a municipal official; and to
22 the Lieutenant Governor, in the case where the Governor resigns.
23 Any resignation shall create a vacancy in the office, and the
24 vacancy shall be filled in the manner provided by law.

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.

