

By: Representative Lott

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 21

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION  
2 109, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT A PUBLIC  
3 OFFICER OR MEMBER OF THE LEGISLATURE SHALL NOT BE CONSTRUED AS  
4 HAVING AN INTEREST IN A CONTRACT IN VIOLATION OF THIS SECTION OF  
5 THE CONSTITUTION IF NO PART OF THE FUNDS FOR THE CONTRACT WERE  
6 APPROPRIATED OR AUTHORIZED BY THE BOARD OR BODY OF WHICH THE  
7 OFFICER OR LEGISLATOR IS OR WAS A MEMBER; AND FOR RELATED  
8 PURPOSES.

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF  
10 MISSISSIPPI, That the following amendment to the Mississippi  
11 Constitution of 1890 is proposed to the qualified electors of the  
12 state:

13 Amend Section 109, Mississippi Constitution of 1890, to read  
14 as follows:

15 "Section 109. (1) No public officer or member of the  
16 Legislature shall be interested, directly or indirectly, in any  
17 contract with the state, or any district, county, city, or town  
18 thereof, authorized by any law passed or order made by any board  
19 of which he may be or may have been a member, during the term for  
20 which he shall have been chosen, or within one (1) year after the  
21 expiration of such term.

22 (2) A public officer or member of the Legislature shall not  
23 be construed as having an interest in a contract in violation of  
24 this section if no part of the funds for the contract were  
25 appropriated or authorized by the board or body of which the  
26 officer or legislator is or was a member."

27 BE IT FURTHER RESOLVED, That this proposed amendment shall be  
28 submitted by the Secretary of State to the qualified electors at  
29 an election to be held on the first Tuesday after the first Monday



30 of November 2003, as provided by Section 273 of the Constitution  
31 and by general law.

32 BE IT FURTHER RESOLVED, That the explanation of this proposed  
33 amendment for the ballot shall read as follows: "This proposed  
34 constitutional amendment provides that a public officer or member  
35 of the Legislature shall not be construed as having an interest in  
36 a contract in violation of the conflicts of interest section of  
37 the Constitution if no part of the funds for the contract were  
38 appropriated or authorized by the board or body of which the  
39 officer or legislator is or was a member."

