

By: Representatives Holland, Broomfield

To: Education; Apportionment  
and Elections

## HOUSE BILL NO. 238

1 AN ACT TO AMEND SECTION 37-5-7, MISSISSIPPI CODE OF 1972, TO  
 2 PROVIDE FOR THE ELECTION OF MEMBERS OF THE COUNTY BOARDS OF  
 3 EDUCATION AT THE SAME TIME AS GENERAL STATE AND COUNTY ELECTIONS  
 4 AND TO ESTABLISH A TERM OF FOUR YEARS FOR THAT OFFICE; TO AMEND  
 5 SECTION 37-7-203, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
 6 MEMBERS OF THE BOARDS OF TRUSTEES OF MUNICIPAL SEPARATE SCHOOL  
 7 DISTRICTS SHALL BE ELECTED FROM SPECIAL TRUSTEE ELECTION DISTRICTS  
 8 BY THE QUALIFIED ELECTORS OF THOSE DISTRICTS; TO PROVIDE THAT THE  
 9 ELECTION SHALL BE HELD EVERY FOUR YEARS IN THE SAME MANNER AND AT  
 10 THE SAME TIME AS ELECTIONS ARE HELD FOR OTHER MUNICIPAL OFFICERS;  
 11 TO AMEND SECTION 37-7-207, MISSISSIPPI CODE OF 1972, TO PROVIDE  
 12 FOR THE ELECTION OF MEMBERS OF THE BOARDS OF TRUSTEES OF  
 13 CONSOLIDATED SCHOOL DISTRICTS AND LINE CONSOLIDATED SCHOOL  
 14 DISTRICTS IN THE SAME MANNER AND AT THE SAME TIME AS GENERAL STATE  
 15 AND COUNTY ELECTIONS AND TO ESTABLISH A TERM OF FOUR YEARS FOR  
 16 THOSE OFFICES; TO AMEND SECTION 37-7-703, MISSISSIPPI CODE OF  
 17 1972, TO PROVIDE THAT THE MEMBERS OF THE BOARDS OF TRUSTEES OF  
 18 SPECIAL MUNICIPAL SEPARATE SCHOOL DISTRICTS THAT INCLUDE THE  
 19 ENTIRE COUNTY SHALL BE ELECTED IN THE SAME MANNER AS TRUSTEES OF  
 20 MUNICIPAL SEPARATE SCHOOL DISTRICTS AT THE SAME TIME AS GENERAL  
 21 STATE AND COUNTY ELECTIONS ARE HELD; TO AMEND SECTION 37-7-713,  
 22 MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ELECTION OF MEMBERS  
 23 OF THE BOARDS OF TRUSTEES OF SPECIAL MUNICIPAL SEPARATE SCHOOL  
 24 DISTRICTS IN THE SAME MANNER AND AT THE SAME TIME AS MUNICIPAL  
 25 ELECTIONS AND TO ESTABLISH A TERM OF FOUR YEARS FOR THAT OFFICE;  
 26 TO AMEND SECTION 37-6-13, MISSISSIPPI CODE OF 1972, TO PROVIDE  
 27 THAT MEMBERS OF SCHOOL BOARDS SHALL RECEIVE AS COMPENSATION AN  
 28 ANNUAL SALARY IN THE AMOUNT OF ONE-HALF OF THE SALARY OF THE  
 29 MEMBERS OF THE COUNTY BOARD OF SUPERVISORS; TO REPEAL SECTIONS  
 30 37-7-204, 37-7-209 AND 37-7-213 THROUGH 37-7-219, MISSISSIPPI CODE  
 31 OF 1972, WHICH PROVIDE CERTAIN METHODS FOR ELECTING TRUSTEES OF  
 32 MUNICIPAL SEPARATE SCHOOL DISTRICTS FROM ADDED TERRITORY; TO  
 33 REPEAL SECTIONS 37-7-221, 37-7-223, 37-7-227 AND 37-7-229,  
 34 MISSISSIPPI CODE OF 1972, WHICH PROVIDE CERTAIN METHODS FOR  
 35 ELECTING TRUSTEES OF CONSOLIDATED AND LINE CONSOLIDATED SCHOOL  
 36 DISTRICTS; TO REPEAL SECTIONS 37-7-705, 37-7-707, 37-7-709,  
 37 37-7-711, 37-7-715 AND 37-7-717, MISSISSIPPI CODE OF 1972, WHICH  
 38 PROVIDE CERTAIN METHODS FOR SELECTING TRUSTEES OF SPECIAL  
 39 MUNICIPAL SEPARATE SCHOOL DISTRICTS; AND FOR RELATED PURPOSES.

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

41 **SECTION 1.** Section 37-5-7, Mississippi Code of 1972, is  
 42 amended as follows:

43 37-5-7. (1) On the first Tuesday after the first Monday in  
 44 November 2007 and every four (4) years thereafter, an election  
 45 shall be held in each county in this state in the same manner and

46 at the same time as general state and county elections are held  
47 and conducted, \* \* \* for the purpose of electing the county boards  
48 of education established under the provisions of this  
49 chapter. \* \* \* All members of the county board of education \* \* \*  
50 shall take office on the first Monday of January following the  
51 date of their election and shall serve for a term of four (4)  
52 years. However, in order to provide for an orderly transition,  
53 the term of each member of the board serving on the date that  
54 House Bill No. , 2004 Regular Session, becomes effective that  
55 otherwise would expire after the first Monday in January 2008,  
56 shall expire on the first Monday of January 2008. Each member of  
57 the board whose term expires after the first Monday of January  
58 2005 but before the first Monday of January 2008 shall continue to  
59 serve for the remainder of the unexpired term, at which time the  
60 vacancy shall be filled in the manner provided in Section 37-5-19.

61 (2) On the first Tuesday after the first Monday in November  
62 2007 and every four (4) years thereafter, in any \* \* \* county  
63 electing to utilize the authority contained in Section 37-5-1(2),  
64 an election shall be held in the same manner and at the same time  
65 as general state and county elections are held and conducted, for  
66 the purpose of electing the county board of education in that  
67 county. \* \* \* All members of the county board of education shall  
68 take office on the first Monday of January following the date of  
69 their election and shall serve for a term of four (4) years.  
70 However, in order to provide for an orderly transition, the term  
71 of each member of the board serving on the date that House Bill  
72 No. , 2004 Regular Session, becomes effective that otherwise  
73 would expire after the first Monday in January 2008, shall expire  
74 on the first Monday of January 2008. Each member of the board  
75 whose term expires after the first Monday of January 2005 but  
76 before the first Monday of January 2008 shall continue to serve  
77 for the remainder of the unexpired term, at which time the vacancy  
78 shall be filled in the manner provided in Section 37-5-19.

79           **SECTION 2.** Section 37-7-203, Mississippi Code of 1972, is  
80 amended as follows:

81           37-7-203. (1) The boards of trustees of all municipal  
82 separate school districts created under the provisions of Article  
83 1 of this chapter, either with or without added territory, shall  
84 consist of five (5) members. On the first Tuesday after the first  
85 Monday in June 2005, and every four (4) years thereafter, an  
86 election shall be held in each municipal separate school district  
87 in this state, in the same manner and at the same time as the  
88 regular municipal elections are held, for the purpose of electing  
89 the members of the boards of trustees established under the  
90 provisions of this article. All members of the boards of trustees  
91 as constituted in this section shall take office on the first  
92 Monday of July following the date of their election and shall  
93 serve for a term of four (4) years. The five (5) members of the  
94 board of trustees shall be elected from trustee election districts  
95 by the qualified electors of the district, as provided in this  
96 section. The governing authorities of the municipality shall  
97 apportion the municipal separate school district, including added  
98 territory, into five (5) trustee election districts as nearly  
99 equal as possible according to population, incumbency and other  
100 factors pronounced by the courts before the effective date of  
101 House Bill No. \_\_\_\_\_, 2004 Regular Session. The municipal  
102 governing authorities shall place upon their minutes the  
103 boundaries determined for the new five (5) trustee election  
104 districts. The municipal governing authorities shall thereafter  
105 publish the same in a newspaper having general circulation within  
106 the school district for at least three (3) consecutive weeks; and  
107 after having given notice of publication and recording the same  
108 upon the minutes of the municipal governing authorities, the new  
109 district lines shall be effective thereafter. The term of each  
110 incumbent trustee serving on the date that House Bill No. \_\_\_\_\_,  
111 2004 Regular Session, becomes effective that otherwise would

112 expire after the first Monday of July 2005, shall expire on the  
113 first Monday of July 2005. Each incumbent trustee whose term  
114 expires after the effective date of House Bill No. \_\_\_\_\_, 2004  
115 Regular Session, but before the first Monday of July 2005 shall  
116 continue to serve for the remainder of the unexpired term, at  
117 which time the vacancy shall be filled in the manner provided by  
118 subsection (2) of this section.

119       (2) Vacancies in the membership of the board of trustees of  
120 any municipal separate school district shall be filled by  
121 appointment, within sixty (60) days after the vacancy occurs, by  
122 the governing authorities of the municipality. The appointee  
123 shall be selected from the qualified electors of the district in  
124 which the vacancy occurs. The president of the municipal  
125 governing authorities shall certify to the Secretary of State the  
126 fact of the appointment, and the Governor shall commission the  
127 person appointed. If the unexpired term is longer than six (6)  
128 months, the appointee shall serve until a successor is elected as  
129 provided in this section, unless the vacancy occurs ninety (90) or  
130 fewer days before the general election in a year in which an  
131 election would normally be held for that office as provided by  
132 law, in which case the person appointed shall serve the unexpired  
133 portion of the term. The vacancies shall be filled for the  
134 unexpired term by the qualified electors at the next regular  
135 special election day occurring more than ninety (90) days after  
136 the occurrence of the vacancy. The president of the municipal  
137 governing authorities, within ten (10) days after the occurrence  
138 of the vacancy, shall make an order, in writing, directed to the  
139 commissioners of election, directing an election to be held on the  
140 next regular special election day to fill the vacancy. The  
141 election commissioners shall require each candidate to qualify at  
142 least sixty (60) days before the date of the election, and shall  
143 give a certificate of election to the person elected, and shall  
144 return to the Secretary of State a copy of the order of holding

145 the election and the results of the election, certified by the  
146 president of the municipal governing authorities. The Governor  
147 shall commission the person elected. The election shall be held  
148 in the same manner provided for other municipal office vacancies.

149 However, where only one (1) person has qualified with the  
150 commissioners of election to be a candidate within the time  
151 provided by law, the commissioners of election shall certify to  
152 the municipal governing authorities that there is only one (1)  
153 candidate. The municipal governing authorities shall dispense  
154 with the election and shall appoint the certified candidate to  
155 fill the unexpired term. The president of the municipal governing  
156 authorities shall certify to the Secretary of State the candidate  
157 so appointed to serve in the office and the Governor shall  
158 commission the candidate. If no person has qualified at least  
159 sixty (60) days before the date of the election, the commissioners  
160 of election shall certify that fact to the municipal governing  
161 authorities, which shall dispense with the election and fill the  
162 vacancy by appointment. The president of the municipal governing  
163 authorities shall certify to the Secretary of State the fact of  
164 the appointment, and the Governor shall commission the appointed  
165 person.

166 **SECTION 3.** Section 37-7-207, Mississippi Code of 1972, is  
167 amended as follows:

168 \* \* \*

169 37-7-207. (1) All school districts reconstituted or created  
170 under the provisions of Article 3 of this chapter, and which lie  
171 wholly within one (1) county, but not including municipal separate  
172 and countywide districts, shall be governed by a board of five (5)  
173 trustees. The first board of trustees of such districts shall be  
174 appointed by the county board of education, and the original  
175 appointments shall be so made that one (1) trustee shall be  
176 appointed to serve until the first Saturday of March following  
177 such appointments, one (1) for one (1) year longer, one (1) for

178 two (2) years longer, one (1) for three (3) years longer, and one  
179 (1) for four (4) years longer. After such original appointments,  
180 the trustees of such school districts shall be elected by the  
181 qualified electors of such school districts in the manner provided  
182 for in this section and Section 37-7-225, with each trustee to be  
183 elected for a term of four (4) years. The five (5) members of the  
184 board of trustees of such consolidated school district shall be  
185 elected from special trustee election districts by the qualified  
186 electors thereof, as herein provided. The board of trustees of  
187 any such consolidated school district shall apportion the  
188 consolidated school district into five (5) special trustee  
189 election districts. The board of trustees of such school district  
190 shall place upon its minutes the boundaries determined for the new  
191 five (5) trustee election districts. The board of trustees shall  
192 thereafter publish the same in a newspaper of general circulation  
193 within the school district for at least three (3) consecutive  
194 weeks; and after having given notice of publication and recording  
195 the same upon the minutes of the board of trustees, the new  
196 district lines shall thereafter be effective.

197 \* \* \*

198 On the first Tuesday after the first Monday in November 2007  
199 and every four (4) years thereafter, in each consolidated school  
200 district \* \* \* an election shall be held in the same manner and at  
201 the same time as general state and county elections are held and  
202 conducted, for the purpose of electing the board of trustees of  
203 such district. At the election, the members of the \* \* \*  
204 board \* \* \* shall be elected for a term of four (4) years.  
205 However, in order to provide for an orderly transition, the term  
206 of each member of the board serving on the date that House Bill  
207 No. \_\_\_\_\_, 2004 Regular Session, becomes effective that otherwise  
208 would expire after the first Monday in January 2008, shall expire  
209 on the first Monday of January 2008. Each member of the board  
210 whose term expires after the first Monday of January 2005 but

211 before the first Monday of January 2008 shall continue to serve  
212 for the remainder of the unexpired term, at which time the vacancy  
213 shall be filled in the manner provided in this paragraph. All  
214 members of the \* \* \* board of trustees shall take office on the  
215 first Monday of January following the date of their election. All  
216 vacancies which may occur during a term shall be filled by  
217 appointment of the consolidated school district trustees, but the  
218 person so appointed shall serve only until the next general  
219 election following such appointment, at which time a person shall  
220 be elected for the remainder of the unexpired term at the same  
221 time and in the same manner as a trustee is elected for the full  
222 term then expiring. The person so elected to the unexpired term  
223 shall take office immediately. The appointee shall be selected  
224 from the qualified electors of the district in which the vacancy  
225 occurs.

226 (2) All school districts reconstituted and created under the  
227 provisions of Article 3 of this chapter, which embrace territory  
228 in two (2) or more counties, but not including municipal separate  
229 school districts, shall be governed by a board of five (5)  
230 trustees. In making the original appointments, the several county  
231 boards of education shall appoint the trustee or trustees to which  
232 the territory in such county is entitled, and, by agreement  
233 between the county boards concerned, one (1) person shall be  
234 appointed to serve until the first Saturday of March following,  
235 one (1) for one (1) year longer, one (1) for two (2) years longer,  
236 one (1) for three (3) years longer and one (1) for four (4) years  
237 longer. Thereafter, such trustees shall be elected in the manner  
238 provided for in this section and Section 37-7-225, for a term of  
239 four (4) years. The five (5) members of the board of trustees of  
240 such line consolidated school district shall be elected from  
241 special trustee election districts by the qualified electors  
242 thereof, as herein provided. The existing board of trustees of  
243 such line consolidated school district shall apportion the line

244 consolidated school district into five (5) special trustee  
245 election districts. The board of trustees shall place upon its  
246 minutes the boundaries determined for the new five (5) trustee  
247 election districts. The board of trustees shall thereafter  
248 publish the same in a newspaper of general circulation within the  
249 school district for at least three (3) consecutive weeks; and  
250 after having given notice of publication and recording the same  
251 upon the minutes of the board of trustees, the new district lines  
252 shall thereafter be effective. However, in any line consolidated  
253 school district encompassing two (2) or more counties created  
254 pursuant to Laws, 1953, Extraordinary Session, Chapter 12, Section  
255 8, in which, as a condition precedent to the creation of the  
256 district, each county belonging thereto was contractually  
257 guaranteed to always have at least one (1) representative on the  
258 board, in order that the condition precedent may be honored and  
259 guaranteed, in any year in which the board of trustees of such  
260 line consolidated school district does not have at least one (1)  
261 member from each county or part thereof forming such district, the  
262 board of trustees in such district shall be governed by a board of  
263 a sufficient number of trustees to fulfill this guarantee, five  
264 (5) of whom shall be elected from the five (5) special trustee  
265 election districts which shall be as nearly equal as possible and  
266 one (1) member trustee appointed at large from each county not  
267 having representation on the elected board. In such cases, the  
268 board of supervisors of each county shall make written agreement  
269 to guarantee the manner of appointment of at least one (1)  
270 representative from each county in the district, placing such  
271 written agreement on the minutes of each board of supervisors in  
272 each county.

273 On the first Tuesday after the first Monday in November 2007  
274 and every four (4) years thereafter, in each line consolidated  
275 school district \* \* \* an election shall be held in the same manner  
276 and at the same time as general state and county elections are



277 held and conducted, for the purpose of electing the board of  
278 trustees of such district. At the election, the members of  
279 the \* \* \* board \* \* \* shall be elected for a term of four (4)  
280 years. However, in order to provide for an orderly transition,  
281 the term of each member of the board serving on the date that  
282 House Bill No. , 2004 Regular Session, becomes effective that  
283 otherwise would expire after the first Monday in January 2008,  
284 shall expire on the first Monday of January 2008. Each member of  
285 the board whose term expires after the first Monday of January  
286 2005 but before the first Monday of January 2008 shall continue to  
287 serve for the remainder of the unexpired term, at which time the  
288 vacancy shall be filled in the manner provided in this paragraph.  
289 All members of the \* \* \* board of trustees shall take office on  
290 the first Monday of January following the date of their election.  
291 In all elections, the trustee elected shall be a resident and  
292 qualified elector of the district entitled to the representation  
293 upon the board, and he shall be elected only by the qualified  
294 electors of such district. All vacancies which may occur during a  
295 term of office shall be filled by appointment of the consolidated  
296 line school district trustees, but the person so appointed shall  
297 serve only until the next general election following such  
298 appointment, at which time a person shall be elected for the  
299 remainder of the unexpired term at the same time and in the same  
300 manner as the trustee is elected for the full term then expiring.  
301 The person so elected to the unexpired term shall take office  
302 immediately.

303 \* \* \*

304 **SECTION 4.** Section 37-7-703, Mississippi Code of 1972, is  
305 amended as follows:

306 37-7-703. The boards of trustees of all \* \* \* special  
307 municipal separate school districts which embrace the entire  
308 county regardless of whether a majority of the inhabitants of the  
309 county reside within or outside the corporate limits of the

310 municipality, shall consist of five (5) members. On the first  
311 Tuesday after the first Monday in November 2007 and every four (4)  
312 years thereafter, an election shall be held in the same manner and  
313 at the same time as general state and county elections are held  
314 and conducted, for the purpose of electing the members of the  
315 boards of trustees in all special municipal separate school  
316 districts that embrace the entire county. All members of the  
317 boards of trustees of special municipal separate school districts  
318 as constituted in this section shall take office on the first  
319 Monday of January following the date of their election and shall  
320 serve for a term of four (4) years. Vacancies in the membership  
321 of the board of trustees of any special municipal separate school  
322 district shall be filled in the manner provided in subsection (2)  
323 of Section 37-7-203. The five (5) members of the board of  
324 trustees shall be elected from trustee election districts by the  
325 qualified electors of the district, as provided in this section.  
326 The governing authorities of the municipality shall apportion the  
327 municipal separate school district, including added territory,  
328 into five (5) trustee election districts as nearly equal as  
329 possible according to population, incumbency and other factors  
330 pronounced by the courts before the effective date of House Bill  
331 No. , 2004 Regular Session. The municipal governing  
332 authorities shall place upon their minutes the boundaries  
333 determined for the new five (5) trustee election districts. The  
334 municipal governing authorities shall thereafter publish the same  
335 in a newspaper having general circulation within the school  
336 district for at least three (3) consecutive weeks; and after  
337 having given notice of publication and recording the same upon the  
338 minutes of the municipal governing authorities, the new district  
339 lines shall be effective thereafter. The term of each incumbent  
340 trustee serving on the date that House Bill No. , 2004 Regular  
341 Session, becomes effective that otherwise would expire after the  
342 first Monday of January 2008, shall expire on the first Monday of

343 January 2008. Each incumbent trustee whose term expires after the  
344 first Monday of January 2005 but before the first Monday of  
345 January 2008 shall continue to serve for the remainder of the  
346 unexpired term, at which time the vacancy shall be filled in the  
347 manner provided in subsection (2) of Section 37-7-203.

348 **SECTION 5.** Section 37-7-713, Mississippi Code of 1972, is  
349 amended as follows:

350 37-7-713. (1) In all special municipal separate school  
351 districts where the district embraces less than the entire area of  
352 the county and where the majority of the educable children of such  
353 district reside outside the limits of the municipality, \* \* \*  
354 the \* \* \* special municipal separate school district shall be  
355 governed by a board of trustees consisting of five (5) members, to  
356 be elected by the qualified electors of such municipal separate  
357 school district \* \* \* in the manner provided by this section.  
358 On the first Tuesday after the first Monday in June 2005, and  
359 every four (4) years thereafter, an election shall be held in each  
360 special municipal separate school district as constituted in this  
361 section, in the same manner and at the same time as the regular  
362 municipal elections are held and conducted, for the purpose of  
363 electing the members of the boards of trustees established under  
364 the provisions of this section. All members of the boards of  
365 trustees as constituted in this section shall take office on the  
366 first Monday of July following the date of their election and  
367 shall serve for a term of four (4) years. The five (5) members of  
368 the board of trustees shall be elected from trustee election  
369 districts by the qualified electors of the district, as provided  
370 in this section. The governing authorities of the municipality  
371 shall apportion the special municipal separate school district  
372 into five (5) special trustee election districts as nearly equal  
373 as possible according to population, incumbency and other factors  
374 pronounced by the courts before the effective date of House Bill  
375 No. , 2004 Regular Session. The municipal governing

376 authorities shall place upon their minutes the boundaries  
377 determined for the new five (5) trustee election districts. The  
378 municipal governing authorities shall thereafter publish the same  
379 in a newspaper having general circulation within the school  
380 district for at least three (3) consecutive weeks; and after  
381 having given notice of publication and recording the same upon the  
382 minutes of the municipal governing authorities, the new district  
383 lines shall be effective thereafter. The term of each incumbent  
384 trustee serving on the date that House Bill No. \_\_\_\_\_, 2004 Regular  
385 Session, becomes effective that otherwise would expire after the  
386 first Monday of July 2005, shall expire on the first Monday of  
387 July 2005. Each incumbent trustee whose term expires after the  
388 effective date of House Bill No. \_\_\_\_\_, 2004 Regular Session, but  
389 before the first Monday of July 2005 shall continue to serve for  
390 the remainder of the unexpired term, at which time the vacancy  
391 shall be filled in the manner provided by subsection (2) of  
392 Section 37-7-203.

393 (2) Vacancies in the membership of the board of trustees of  
394 any special municipal separate school district as constituted in  
395 this section shall be filled in the manner provided by subsection  
396 (2) of Section 37-7-203.

397 **SECTION 6.** Section 37-6-13, Mississippi Code of 1972, is  
398 amended as follows:

399 37-6-13. (1) Each person serving as a member of the school  
400 board of any school district shall receive per diem in the amount  
401 of Sixty-seven Dollars (\$67.00) for no more than thirty-six (36)  
402 meetings of the school board during any one (1) fiscal year \* \* \*.  
403 In addition, each person serving as a member of the school board  
404 of any school district shall receive as compensation for his or  
405 her services an annual salary in the amount of one-half (1/2) of  
406 the salary of the members of the county board of supervisors under  
407 Section 25-3-13. The receipt of the compensation shall not  
408 entitle any member of a school board to receive or be eligible for

409 any state employee group insurance, retirement or other fringe  
410 benefits. Each member shall be reimbursed for the necessary  
411 expenses and mileage in attending meetings of the school board.  
412 In addition to the foregoing, all members may be reimbursed for  
413 mileage and actual expenses incurred in the further performance of  
414 their duties, including attendance at any mandatory school board  
415 training session or at regional and national education meetings,  
416 when such mileage and other expenses are authorized by the board  
417 prior to the date on which they occur. Detailed vouchers shall be  
418 submitted for reimbursement for all expenses authorized by this  
419 section. Such reimbursement shall be in accordance with Section  
420 25-3-41.

421 Such expenses shall be paid on order of the school board by  
422 pay certificates issued by the superintendent of the school  
423 district involved against the funds available for payment of the  
424 administrative expense of the district.

425 (2) (a) If a member of a school board misses twenty percent  
426 (20%) or more of the meetings of the school board during a  
427 calendar year, except for absences caused by required military  
428 duty, the member must reimburse the school district that portion  
429 of the total salary paid to the member that year which is  
430 proportionate to the number of meetings missed by the member in  
431 relation to the total number of school board meetings held during  
432 that year. For purposes of this subsection, consideration may be  
433 given only to meetings of which public notice is required.

434 (b) Before February 1 of each year, the president of  
435 each local school board shall submit a report to the State Board  
436 of Education containing the names of any members of the school  
437 board who missed twenty percent (20%) or more of the school board  
438 meetings during the preceding calendar year.

439 **SECTION 7.** Sections 37-7-204, 37-7-209, 37-7-213, 37-7-215,  
440 37-7-217 and 37-7-219, Mississippi Code of 1972, which provide

441 certain methods for electing trustees of municipal separate school  
442 districts from added territory, are repealed.

443         **SECTION 8.** Sections 37-7-221, 37-7-223, 37-7-227 and  
444 37-7-229, Mississippi Code of 1972, which provide certain methods  
445 for electing trustees of consolidated and line consolidated school  
446 districts, are repealed.

447         **SECTION 9.** Sections 37-7-705, 37-7-707, 37-7-709, 37-7-711,  
448 37-7-715 and 37-7-717, Mississippi Code of 1972, which provide  
449 certain methods for selecting trustees of special municipal  
450 separate school districts, are repealed.

451         **SECTION 10.** The Attorney General of the State of Mississippi  
452 shall submit this act, immediately upon approval by the Governor,  
453 or upon approval by the Legislature subsequent to a veto, to the  
454 Attorney General of the United States or to the United States  
455 District Court for the District of Columbia in accordance with the  
456 provisions of the Voting Rights Act of 1965, as amended and  
457 extended.

458         **SECTION 11.** This act shall take effect and be in force from  
459 and after July 1, 2004, or the date it is effectuated under  
460 Section 5 of the Voting Rights Act of 1965, as amended and  
461 extended, whichever is later.