

By: Senator(s) Frazier

To: Constitution

SENATE CONCURRENT RESOLUTION NO. 553

1 A CONCURRENT RESOLUTION PROPOSING TO AMEND THE MISSISSIPPI
2 CONSTITUTION OF 1890 BY REPEALING SECTION 48 WHICH PROVIDES FOR
3 THE IMMUNITY FROM ARREST OF THE MEMBERS OF THE LEGISLATURE FOR
4 CERTAIN CRIMES WHEN THE LEGISLATURE IS IN SESSION AND FOR FIFTEEN
5 DAYS BEFORE THE COMMENCEMENT AND AFTER THE TERMINATION OF EACH
6 SESSION.

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

11 Amend the Mississippi Constitution of 1890 by repealing
12 Section 48 which reads as follows:

13 Section 48. Senators and Representatives shall, in all
14 cases, except treason, felony, theft, or breach of the peace, be
15 privileged from arrest during the session of the Legislature, and
16 for fifteen (15) days before the commencement and after the
17 termination of each session.

18 BE IT FURTHER RESOLVED, That this proposed amendment shall be
19 submitted by the Secretary of State to the qualified electors at
20 an election to be held on the first Tuesday after the first Monday
21 of November 2004, as provided by Section 273 of the Constitution
22 and by general law.

23 BE IT FURTHER RESOLVED, That the explanation of this proposed
24 amendment for the ballot shall read as follows: "This proposed
25 constitutional amendment provides that members of the state
26 Legislature shall no longer have immunity from arrest while the
27 Legislature is in session."

28 BE IT FURTHER RESOLVED, That the Attorney General of the
29 State of Mississippi shall submit this resolution, immediately

30 upon adoption by the Legislature, to the Attorney General of the
31 United States or to the United States District Court for the
32 District of Columbia, in accordance with the provisions of the
33 Voting Rights Act of 1965, as amended and extended.