

By: Representatives Gunn, Staples, Snowden,
Mayhall

To: Apportionment and
Elections

HOUSE BILL NO. 923

1 AN ACT TO AMEND SECTION 23-15-923, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO REQUEST A RECOUNTING
3 OF BALLOTS WHEN A PERSON CONTESTS THE ELECTION OF ANOTHER AS THE
4 PARTY NOMINEE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 23-15-923, Mississippi Code of 1972, is
7 amended as follows:

8 23-15-923. Except as otherwise provided in Section
9 23-15-961, a person desiring to contest the election of another
10 returned as the nominee in state, congressional and judicial
11 districts, and in legislative districts composed of more than one
12 (1) county or parts of more than one (1) county, may do so upon
13 complaint filed with the Chairman of the State Executive
14 Committee, by petition, reciting the grounds upon which the
15 election is contested. If necessary and with the advice of four
16 (4) members of said committee, the chairman shall issue his fiat
17 to the chairman of the appropriate county executive committee, and
18 in like manner as in the county office, the county committee shall
19 investigate the complaint and return their findings to the
20 chairman of the state committee. The State Executive Committee by
21 majority vote of members present may declare the true results of
22 the primary or order such remedy deemed necessary to arrive at the
23 true will of the voters, including the ordering of a partial or
24 complete revote of the election.

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.