

By: Representative Mims

To: Apportionment and  
Elections

## HOUSE BILL NO. 890

1 AN ACT TO AMEND SECTION 23-15-217, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT A COMMISSIONER OF ELECTION OF A COUNTY MAY SEEK  
3 ANOTHER OFFICE DURING HIS FOUR-YEAR TERM AS ELECTION COMMISSIONER  
4 IF HE RESIGNS FROM THE OFFICE OF ELECTION COMMISSIONER PRIOR TO  
5 QUALIFYING FOR THE OFFICE HE DESIRES TO SEEK; AND FOR RELATED  
6 PURPOSES.

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

8 **SECTION 1.** Section 23-15-217, Mississippi Code of 1972, is  
9 amended as follows:

10 23-15-217. (1) A commissioner of election of any county may  
11 be a candidate for any other office at any election held or to be  
12 held during the four-year term for which he has been elected to  
13 the office of commissioner of election or with reference to which  
14 he has acted as such; provided that he has resigned from the  
15 office of election commissioner before he qualifies for the office  
16 which he desires to seek. \* \* \*

17 (2) In any case involving the election of a county election  
18 commissioner wherein there is a contest of any nature, including,  
19 but not limited to, the right of any person to vote or the  
20 counting of any challenge ballot, all the duties and powers of the  
21 commission in connection with said contest shall be performed by  
22 the board of supervisors, as is contemplated by Section 23-15-215  
23 in cases where there are no commissioners of election in the  
24 county.

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.