

By: Representative Simpson

To: Judiciary A

HOUSE BILL NO. 1171

1 AN ACT TO AMEND SECTION 25-1-53, MISSISSIPPI CODE OF 1972, TO
2 EXCLUDE STEP-RELATIVES FROM THE NEPOTISM RESTRICTIONS FOR
3 APPOINTED OR EMPLOYED OFFICERS, CLERKS, STENOGRAPHERS, DEPUTIES OR
4 ASSISTANTS PAID OUT OF PUBLIC FUNDS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 25-1-53, Mississippi Code of 1972, is
7 amended as follows:

8 25-1-53. It shall be unlawful for any person elected,
9 appointed or selected in any manner whatsoever to any state,
10 county, district or municipal office, or for any board of trustees
11 of any state institution, to appoint or employ, as an officer,
12 clerk, stenographer, deputy or assistant who is to be paid out of
13 the public funds, any person related by blood or marriage within
14 the third degree, excluding step-relatives, computed by the rule
15 of the civil law, to the person or any member of the board of
16 trustees having the authority to make such appointment or contract
17 such employment as employer. This section shall not apply to any
18 employee who shall have been in said department or institution
19 prior to the time his or her kinsman, within the third degree,
20 became the head of said department or institution or member of
21 said board of trustees; and this section shall not apply to any
22 person seeking appointment as an election worker who has served as
23 an election worker in the election immediately preceding the
24 commencement of a term of office as an election commissioner by
25 his kinsman within the third degree. The provision herein
26 contained shall not apply in the instance of the employment of
27 physicians, nurses or medical technicians by governing boards of
28 charity hospitals or other public hospitals.

29 **SECTION 2.** This act shall take effect and be in force from
30 and after July 1, 2007.