

House Amendments to Senate Bill No. 2056

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

12 **SECTION 1.** From and after July 1, 2008, no person may
13 qualify as a candidate for more than one (1) office if the
14 election for those offices occurs on the same day and if the law
15 prohibits a person from simultaneously holding both positions. If
16 a person takes the steps necessary to qualify for more than one
17 (1) office, the appropriate executive committee or election
18 commissioner shall determine the last office for which the person
19 qualified and the person shall be considered to be qualified as a
20 candidate for that office only and the person shall be notified of
21 this determination. The provisions of this section shall not
22 apply to elections for municipal office.

23 **SECTION 2.** Section 23-15-299, Mississippi Code of 1972, is
24 amended as follows:

25 **[Until July 1, 2008, this section shall read as follows:]**

26 23-15-299. (1) (a) Assessments made pursuant to paragraphs
27 (a), (b) and (c) of Section 23-15-297 and assessments made
28 pursuant to paragraph (d) of Section 23-15-297 for legislative
29 offices shall be paid by each candidate to the Secretary of the
30 State Executive Committee with which the candidate is affiliated
31 by 5:00 p.m. on March 1 of the year in which the primary election
32 for the office is held or on the date of the qualifying deadline
33 provided by statute for the office, whichever is earlier; however,
34 no such assessments may be paid before January 1 of the year in
35 which the primary election for the office is held.

36 (b) If the 2010 federal decennial census has not been
37 received from the United States Secretary of Commerce by the

38 Governor of the State of Mississippi by January 1, 2011, then the
39 qualifying deadline for legislative offices shall be changed for
40 the year 2011 only, as follows: Assessments made pursuant to
41 paragraph (d) of Section 23-15-297 for legislative offices shall
42 be paid by each candidate to the Secretary of the State Executive
43 Committee with which the candidate is affiliated by 5:00 p.m. on
44 June 1, 2011. This paragraph (b) shall stand repealed on July 1,
45 2012; however, no such assessments may be paid before January 1 of
46 the year in which the election for the office is held.

47 (2) Assessments made pursuant to paragraphs (d) and (e) of
48 Section 23-15-297, other than assessments made for legislative
49 offices, shall be paid by each candidate to the circuit clerk of
50 such candidate's county of residence by 5:00 p.m. on March 1 of
51 the year in which the primary election for the office is held or
52 on the date of the qualifying deadline provided by statute for the
53 office, whichever is earlier; however, no such assessments may be
54 paid before January 1 of the year in which the election for the
55 office is held. The circuit clerk shall forward the fee and all
56 necessary information to the secretary of the proper county
57 executive committee within two (2) business days.

58 (3) Assessments made pursuant to paragraphs (f) and (g) of
59 Section 23-15-297 must be paid by each candidate to the Secretary
60 of the State Executive Committee with which the candidate is
61 affiliated by 5:00 p.m. sixty (60) days before the presidential
62 preference primary in years in which a presidential preference
63 primary is held; however, no such assessments may be paid before
64 January 1 of the year in which the primary election for the office
65 is held. Assessments made pursuant to paragraphs (f) and (g) of
66 Section 23-15-297, in years when a presidential preference primary
67 is not being held, shall be paid by each candidate to the
68 Secretary of the State Executive Committee with which the
69 candidate is affiliated by 5:00 p.m. on March 1 of the year in
70 which the primary election for the office is held; however, no
71 such assessments may be paid before January 1 of the year in which
72 the primary election for the office is held.

73 (4) (a) The fees paid pursuant to subsections (1), (2) and
74 (3) of this section shall be accompanied by a written statement
75 containing the name and address of the candidate, the party with
76 which he or she is affiliated and the office for which he or she
77 is a candidate.

78 (b) The State Executive Committee shall transmit to the
79 Secretary of State a copy of the written statements accompanying
80 the fees paid pursuant to subsections (1) and (2) of this section.
81 All copies must be received by the Office of the Secretary of
82 State by not later than 6:00 p.m. on the date of the qualifying
83 deadline; provided, however, the failure of the Office of the
84 Secretary of State to receive such copies by 6:00 p.m. on the date
85 of the qualifying deadline shall not affect the qualification of a
86 person who pays the required fee and files the required statement
87 by 5:00 p.m. on the date of the qualifying deadline. The name of
88 any person who pays the required fee and files the required
89 statement after 5:00 p.m. on the date of the qualifying deadline
90 shall not be placed on the primary election ballot.

91 (5) The secretary or circuit clerk to whom such payments are
92 made shall promptly receipt for same stating the office for which
93 such candidate making payment is running and the political party
94 with which he or she is affiliated, and he or she shall keep an
95 itemized account in detail showing the exact time and date of the
96 receipt of each payment received by him or her and, where
97 applicable, the date of the postmark on the envelope containing
98 the fee and from whom, and for what office the party paying same
99 is a candidate.

100 (6) The secretaries of the proper executive committee shall
101 hold said funds to be finally disposed of by order of their
102 respective executive committees. Such funds may be used or
103 disbursed by the executive committee receiving same to pay all
104 necessary traveling or other necessary expenses of the members of
105 the executive committee incurred in discharging their duties as
106 committeemen, and of their secretary and may pay the secretary
107 such salary as may be reasonable.

108 (7) Upon receipt of the proper fee and all necessary
109 information, the proper executive committee shall then determine
110 whether each candidate is a qualified elector of the state, state
111 district, county or county district which they seek to serve, and
112 whether each candidate meets all other qualifications to hold the
113 office he is seeking or presents absolute proof that he will,
114 subject to no contingencies, meet all qualifications on or before
115 the date of the general or special election at which he could be
116 elected to office. The committee also shall determine whether any
117 candidate has been convicted of any felony in a court of this
118 state, or has been convicted on or after December 8, 1992, of any
119 offense in another state which is a felony under the laws of this
120 state, or has been convicted of any felony in a federal court on
121 or after December 8, 1992. Excepted from the above are
122 convictions of manslaughter and violations of the United States
123 Internal Revenue Code or any violations of the tax laws of this
124 state unless the offense also involved misuse or abuse of his
125 office or money coming into his hands by virtue of his office. If
126 the proper executive committee finds that a candidate either (a)
127 is not a qualified elector, (b) does not meet all qualifications
128 to hold the office he seeks and fails to provide absolute proof,
129 subject to no contingencies, that he will meet the qualifications
130 on or before the date of the general or special election at which
131 he could be elected, or (c) has been convicted of a felony as
132 described in this subsection, and not pardoned, then the name of
133 such candidate shall not be placed upon the ballot.

134 Where there is but one (1) candidate for each office
135 contested at the primary election, the proper executive committee
136 when the time has expired within which the names of candidates
137 shall be furnished shall declare such candidates the nominees.

138 (8) No candidate may qualify by filing the information
139 required by this section by using the Internet.

140 **[From and after July 1, 2008, this section shall read as**
141 **follows:]**

142 23-15-299. (1) (a) Assessments made pursuant to paragraphs
143 (a), (b) and (c) of Section 23-15-297 and assessments made
144 pursuant to paragraph (d) of Section 23-15-297 for legislative
145 offices shall be paid by each candidate to the Secretary of the
146 State Executive Committee with which the candidate is affiliated
147 by 5:00 p.m. on March 1 of the year in which the primary election
148 for the office is held or on the date of the qualifying deadline
149 provided by statute for the office, whichever is earlier; however,
150 no such assessments may be paid before January 1 of the year in
151 which the primary election for the office is held.

152 (b) If the 2010 federal decennial census has not been
153 received from the United States Secretary of Commerce by the
154 Governor of the State of Mississippi by January 1, 2011, then the
155 qualifying deadline for legislative offices shall be changed for
156 the year 2011 only, as follows: Assessments made pursuant to
157 paragraph (d) of Section 23-15-297 for legislative offices shall
158 be paid by each candidate to the Secretary of the State Executive
159 Committee with which the candidate is affiliated by 5:00 p.m. on
160 June 1, 2011. This paragraph (b) shall stand repealed on July 1,
161 2012; however, no such assessments may be paid before January 1 of
162 the year in which the election for the office is held.

163 (2) Assessments made pursuant to paragraphs (d) and (e) of
164 Section 23-15-297, other than assessments made for legislative
165 offices, shall be paid by each candidate to the circuit clerk of
166 such candidate's county of residence by 5:00 p.m. on March 1 of
167 the year in which the primary election for the office is held or
168 on the date of the qualifying deadline provided by statute for the
169 office, whichever is earlier; however, no such assessments may be
170 paid before January 1 of the year in which the election for the
171 office is held. The circuit clerk shall forward the fee and all
172 necessary information to the secretary of the proper county
173 executive committee within two (2) business days.

174 (3) Assessments made pursuant to paragraphs (f) and (g) of
175 Section 23-15-297 must be paid by each candidate to the Secretary
176 of the State Executive Committee with which the candidate is

177 affiliated by 5:00 p.m. sixty (60) days before the presidential
178 preference primary in years in which a presidential preference
179 primary is held; however, no such assessments may be paid before
180 January 1 of the year in which the primary election for the office
181 is held. Assessments made pursuant to paragraphs (f) and (g) of
182 Section 23-15-297, in years when a presidential preference primary
183 is not being held, shall be paid by each candidate to the
184 Secretary of the State Executive Committee with which the
185 candidate is affiliated by 5:00 p.m. on March 1 of the year in
186 which the primary election for the office is held; however, no
187 such assessments may be paid before January 1 of the year in which
188 the primary election for the office is held.

189 (4) (a) The fees paid pursuant to subsections (1), (2) and
190 (3) of this section shall be accompanied by a written statement
191 containing the name and address of the candidate, the party with
192 which he or she is affiliated and the office for which he or she
193 is a candidate.

194 (b) The State Executive Committee shall transmit to the
195 Secretary of State a copy of the written statements accompanying
196 the fees paid pursuant to subsections (1) and (2) of this section.
197 All copies must be received by the Office of the Secretary of
198 State by not later than 6:00 p.m. on the date of the qualifying
199 deadline; provided, however, the failure of the Office of the
200 Secretary of State to receive such copies by 6:00 p.m. on the date
201 of the qualifying deadline shall not affect the qualification of a
202 person who pays the required fee and files the required statement
203 by 5:00 p.m. on the date of the qualifying deadline. The name of
204 any person who pays the required fee and files the required
205 statement after 5:00 p.m. on the date of the qualifying deadline
206 shall not be placed on the primary election ballot.

207 (5) The secretary or circuit clerk to whom such payments are
208 made shall promptly receipt for same stating the office for which
209 such candidate making payment is running and the political party
210 with which he or she is affiliated, and he or she shall keep an
211 itemized account in detail showing the exact time and date of the

212 receipt of each payment received by him or her and, where
213 applicable, the date of the postmark on the envelope containing
214 the fee and from whom, and for what office the party paying same
215 is a candidate.

216 (6) The secretaries of the proper executive committee shall
217 hold said funds to be finally disposed of by order of their
218 respective executive committees. Such funds may be used or
219 disbursed by the executive committee receiving same to pay all
220 necessary traveling or other necessary expenses of the members of
221 the executive committee incurred in discharging their duties as
222 committeemen, and of their secretary and may pay the secretary
223 such salary as may be reasonable.

224 (7) Upon receipt of the proper fee and all necessary
225 information, the proper executive committee shall then determine
226 whether each candidate is a qualified elector of the state, state
227 district, county or county district which they seek to serve, and
228 whether each candidate meets all other qualifications to hold the
229 office he is seeking or presents absolute proof that he will,
230 subject to no contingencies, meet all qualifications on or before
231 the date of the general or special election at which he could be
232 elected to office. The executive committee shall determine
233 whether the candidate has taken the steps necessary to qualify for
234 more than one (1) office at the election. The committee also
235 shall determine whether any candidate has been convicted of any
236 felony in a court of this state, or has been convicted on or after
237 December 8, 1992, of any offense in another state which is a
238 felony under the laws of this state, or has been convicted of any
239 felony in a federal court on or after December 8, 1992. Excepted
240 from the above are convictions of manslaughter and violations of
241 the United States Internal Revenue Code or any violations of the
242 tax laws of this state unless the offense also involved misuse or
243 abuse of his office or money coming into his hands by virtue of
244 his office. If the proper executive committee finds that a
245 candidate either (a) is not a qualified elector, (b) does not meet
246 all qualifications to hold the office he seeks and fails to

247 provide absolute proof, subject to no contingencies, that he will
248 meet the qualifications on or before the date of the general or
249 special election at which he could be elected, or (c) has been
250 convicted of a felony as described in this subsection, and not
251 pardoned, then the name of such candidate shall not be placed upon
252 the ballot. If the proper executive committee determines that the
253 candidate has taken the steps necessary to qualify for more than
254 one (1) office at the election, the action required by Section 1
255 of Senate Bill No. 2056, 2007 Regular Session, shall be taken.

256 Where there is but one (1) candidate for each office
257 contested at the primary election, the proper executive committee
258 when the time has expired within which the names of candidates
259 shall be furnished shall declare such candidates the nominees.

260 (8) No candidate may qualify by filing the information
261 required by this section by using the Internet.

262 **SECTION 3.** Section 23-15-359, Mississippi Code of 1972, is
263 amended as follows:

264 **[Until July 1, 2008, this section shall read as follows:]**

265 23-15-359. (1) The ballot shall contain the names of all
266 party nominees certified by the appropriate executive committee,
267 and independent and special election candidates who have timely
268 filed petitions containing the required signatures. A petition
269 requesting that an independent or special election candidate's
270 name be placed on the ballot for any office shall be filed as
271 provided for in subsection (3) or (4) of this section, as
272 appropriate, and shall be signed by not less than the following
273 number of qualified electors:

274 (a) For an office elected by the state at large, not
275 less than one thousand (1,000) qualified electors.

276 (b) For an office elected by the qualified electors of
277 a Supreme Court district, not less than three hundred (300)
278 qualified electors.

279 (c) For an office elected by the qualified electors of
280 a congressional district, not less than two hundred (200)
281 qualified electors.

282 (d) For an office elected by the qualified electors of
283 a circuit or chancery court district, not less than one hundred
284 (100) qualified electors.

285 (e) For an office elected by the qualified electors of
286 a senatorial or representative district, not less than fifty (50)
287 qualified electors.

288 (f) For an office elected by the qualified electors of
289 a county, not less than fifty (50) qualified electors.

290 (g) For an office elected by the qualified electors of
291 a supervisors district or justice court district, not less than
292 fifteen (15) qualified electors.

293 (2) Unless the petition required above shall be filed as
294 provided for in subsection (3) or (4) of this section, as
295 appropriate, the name of the person requested to be a candidate,
296 unless nominated by a political party, shall not be placed upon
297 the ballot. The ballot shall contain the names of each candidate
298 for each office, and such names shall be listed under the name of
299 the political party such candidate represents as provided by law
300 and as certified to the circuit clerk by the State Executive
301 Committee of such political party. In the event such candidate
302 qualifies as an independent as herein provided, he shall be listed
303 on the ballot as an independent candidate.

304 (3) Petitions for offices described in paragraphs (a), (b),
305 (c) and (d) of subsection (1) of this section, and petitions for
306 offices described in paragraph (e) of subsection (1) of this
307 section for districts composed of more than one (1) county or
308 parts of more than one (1) county, shall be filed with the State
309 Board of Election Commissioners by no later than 5:00 p.m. on the
310 same date by which candidates for nominations in the political
311 party primary elections are required to pay the fee provided for
312 in Section 23-15-297, Mississippi Code of 1972; however, no
313 petition may be filed before January 1 of the year in which the
314 election for the office is held.

315 (4) Petitions for offices described in paragraphs (f) and
316 (g) of subsection (1) of this section, and petitions for offices

317 described in paragraph (e) of subsection (1) of this section for
318 districts composed of one (1) county or less, shall be filed with
319 the proper circuit clerk by no later than 5:00 p.m. on the same
320 date by which candidates for nominations in the political party
321 elections are required to pay the fee provided for in Section
322 23-15-297; however, no petition may be filed before January 1 of
323 the year in which the election for the office is held. The
324 circuit clerk shall notify the county commissioners of election of
325 all persons who have filed petitions with such clerk. Such
326 notification shall occur within two (2) business days and shall
327 contain all necessary information.

328 (5) The commissioners may also have printed upon the ballot
329 any local issue election matter that is authorized to be held on
330 the same date as the regular or general election pursuant to
331 Section 23-15-375; however, the ballot form of such local issue
332 must be filed with the commissioners of election by the
333 appropriate governing authority not less than sixty (60) days
334 previous to the date of the election.

335 (6) The provisions of this section shall not apply to
336 municipal elections or to the election of the offices of justice
337 of the Supreme Court, judge of the Court of Appeals, circuit
338 judge, chancellor, county court judge and family court judge.

339 (7) Nothing in this section shall prohibit special elections
340 to fill vacancies in either house of the Legislature from being
341 held as provided in Section 23-15-851. In all elections conducted
342 under the provisions of Section 23-15-851, the commissioner shall
343 have printed on the ballot the name of any candidate who, not
344 having been nominated by a political party, shall have been
345 requested to be a candidate for any office by a petition filed
346 with said commissioner by 5:00 p.m. not less than ten (10) working
347 days prior to the election, and signed by not less than fifty (50)
348 qualified electors.

349 (8) The appropriate election commission shall determine
350 whether each candidate is a qualified elector of the state, state
351 district, county or county district they seek to serve, and

352 whether each candidate meets all other qualifications to hold the
353 office he is seeking or presents absolute proof that he will,
354 subject to no contingencies, meet all qualifications on or before
355 the date of the general or special election at which he could be
356 elected to office. The election commission also shall determine
357 whether any candidate has been convicted of any felony in a court
358 of this state, or has been convicted on or after December 8, 1992,
359 of any offense in another state which is a felony under the laws
360 of this state, or has been convicted of any felony in a federal
361 court on or after December 8, 1992. Excepted from the above are
362 convictions of manslaughter and violations of the United States
363 Internal Revenue Code or any violations of the tax laws of this
364 state, unless the offense also involved misuse or abuse of his
365 office or money coming into his hands by virtue of his office. If
366 the appropriate election commission finds that a candidate either
367 (a) is not a qualified elector, (b) does not meet all
368 qualifications to hold the office he seeks and fails to provide
369 absolute proof, subject to no contingencies, that he will meet the
370 qualifications on or before the date of the general or special
371 election at which he could be elected, or (c) has been convicted
372 of a felony as described in this subsection, and not pardoned,
373 then the name of such candidate shall not be placed upon the
374 ballot.

375 (9) If after the deadline to qualify as a candidate for an
376 office or after the time for holding any party primary for an
377 office, there shall be only one (1) person who has duly qualified
378 to be a candidate for the office in the general election, the name
379 of such person shall be placed on the ballot; provided, however,
380 that if there shall be not more than one (1) person duly qualified
381 to be a candidate for each office on the general election ballot,
382 the election for all offices on the ballot shall be dispensed with
383 and the appropriate election commission shall declare each
384 candidate elected without opposition if the candidate meets all
385 the qualifications to hold the office as determined pursuant to a
386 review by the commission in accordance with the provisions of

387 subsection (8) of this section and if the candidate has filed all
388 required campaign finance disclosure reports as required by
389 Section 23-15-807.

390 (10) The petition required by this section may not be filed
391 by using the Internet.

392 **[From and after July 1, 2008, this section shall read as**
393 **follows:]**

394 23-15-359. (1) The ballot shall contain the names of all
395 party nominees certified by the appropriate executive committee,
396 and independent and special election candidates who have timely
397 filed petitions containing the required signatures. A petition
398 requesting that an independent or special election candidate's
399 name be placed on the ballot for any office shall be filed as
400 provided for in subsection (3) or (4) of this section, as
401 appropriate, and shall be signed by not less than the following
402 number of qualified electors:

403 (a) For an office elected by the state at large, not
404 less than one thousand (1,000) qualified electors.

405 (b) For an office elected by the qualified electors of
406 a Supreme Court district, not less than three hundred (300)
407 qualified electors.

408 (c) For an office elected by the qualified electors of
409 a congressional district, not less than two hundred (200)
410 qualified electors.

411 (d) For an office elected by the qualified electors of
412 a circuit or chancery court district, not less than one hundred
413 (100) qualified electors.

414 (e) For an office elected by the qualified electors of
415 a senatorial or representative district, not less than fifty (50)
416 qualified electors.

417 (f) For an office elected by the qualified electors of
418 a county, not less than fifty (50) qualified electors.

419 (g) For an office elected by the qualified electors of
420 a supervisors district or justice court district, not less than
421 fifteen (15) qualified electors.

422 (2) Unless the petition required above shall be filed as
423 provided for in subsection (3) or (4) of this section, as
424 appropriate, the name of the person requested to be a candidate,
425 unless nominated by a political party, shall not be placed upon
426 the ballot. The ballot shall contain the names of each candidate
427 for each office, and such names shall be listed under the name of
428 the political party such candidate represents as provided by law
429 and as certified to the circuit clerk by the State Executive
430 Committee of such political party. In the event such candidate
431 qualifies as an independent as herein provided, he shall be listed
432 on the ballot as an independent candidate.

433 (3) Petitions for offices described in paragraphs (a), (b),
434 (c) and (d) of subsection (1) of this section, and petitions for
435 offices described in paragraph (e) of subsection (1) of this
436 section for districts composed of more than one (1) county or
437 parts of more than one (1) county, shall be filed with the State
438 Board of Election Commissioners by no later than 5:00 p.m. on the
439 same date by which candidates for nominations in the political
440 party primary elections are required to pay the fee provided for
441 in Section 23-15-297, Mississippi Code of 1972; however, no
442 petition may be filed before January 1 of the year in which the
443 election for the office is held.

444 (4) Petitions for offices described in paragraphs (f) and
445 (g) of subsection (1) of this section, and petitions for offices
446 described in paragraph (e) of subsection (1) of this section for
447 districts composed of one (1) county or less, shall be filed with
448 the proper circuit clerk by no later than 5:00 p.m. on the same
449 date by which candidates for nominations in the political party
450 elections are required to pay the fee provided for in Section
451 23-15-297; however, no petition may be filed before January 1 of
452 the year in which the election for the office is held. The
453 circuit clerk shall notify the county commissioners of election of
454 all persons who have filed petitions with such clerk. Such
455 notification shall occur within two (2) business days and shall
456 contain all necessary information.

457 (5) The commissioners may also have printed upon the ballot
458 any local issue election matter that is authorized to be held on
459 the same date as the regular or general election pursuant to
460 Section 23-15-375; however, the ballot form of such local issue
461 must be filed with the commissioners of election by the
462 appropriate governing authority not less than sixty (60) days
463 previous to the date of the election.

464 (6) The provisions of this section shall not apply to
465 municipal elections or to the election of the offices of justice
466 of the Supreme Court, judge of the Court of Appeals, circuit
467 judge, chancellor, county court judge and family court judge.

468 (7) Nothing in this section shall prohibit special elections
469 to fill vacancies in either house of the Legislature from being
470 held as provided in Section 23-15-851. In all elections conducted
471 under the provisions of Section 23-15-851, the commissioner shall
472 have printed on the ballot the name of any candidate who, not
473 having been nominated by a political party, shall have been
474 requested to be a candidate for any office by a petition filed
475 with said commissioner by 5:00 p.m. not less than ten (10) working
476 days prior to the election, and signed by not less than fifty (50)
477 qualified electors.

478 (8) The appropriate election commission shall determine
479 whether each candidate is a qualified elector of the state, state
480 district, county or county district they seek to serve, and
481 whether each candidate meets all other qualifications to hold the
482 office he is seeking or presents absolute proof that he will,
483 subject to no contingencies, meet all qualifications on or before
484 the date of the general or special election at which he could be
485 elected to office. The election commission shall determine
486 whether the candidate has taken the steps necessary to qualify for
487 more than one (1) office at the election. The election commission
488 also shall determine whether any candidate has been convicted of
489 any felony in a court of this state, or has been convicted on or
490 after December 8, 1992, of any offense in another state which is a
491 felony under the laws of this state, or has been convicted of any

492 felony in a federal court on or after December 8, 1992. Excepted
493 from the above are convictions of manslaughter and violations of
494 the United States Internal Revenue Code or any violations of the
495 tax laws of this state, unless the offense also involved misuse or
496 abuse of his office or money coming into his hands by virtue of
497 his office. If the appropriate election commission finds that a
498 candidate either (a) is not a qualified elector, (b) does not meet
499 all qualifications to hold the office he seeks and fails to
500 provide absolute proof, subject to no contingencies, that he will
501 meet the qualifications on or before the date of the general or
502 special election at which he could be elected, or (c) has been
503 convicted of a felony as described in this subsection, and not
504 pardoned, then the name of such candidate shall not be placed upon
505 the ballot. If the appropriate election commission determines
506 that the candidate has taken the steps necessary to qualify for
507 more than one (1) office at the election, the action required by
508 Section 1 of Senate Bill No. 2056, 2007 Regular Session, shall be
509 taken.

510 (9) If after the deadline to qualify as a candidate for an
511 office or after the time for holding any party primary for an
512 office, there shall be only one (1) person who has duly qualified
513 to be a candidate for the office in the general election, the name
514 of such person shall be placed on the ballot; provided, however,
515 that if there shall be not more than one (1) person duly qualified
516 to be a candidate for each office on the general election ballot,
517 the election for all offices on the ballot shall be dispensed with
518 and the appropriate election commission shall declare each
519 candidate elected without opposition if the candidate meets all
520 the qualifications to hold the office as determined pursuant to a
521 review by the commission in accordance with the provisions of
522 subsection (8) of this section and if the candidate has filed all
523 required campaign finance disclosure reports as required by
524 Section 23-15-807.

525 (10) The petition required by this section may not be filed
526 by using the Internet.

527 **SECTION 4.** The Attorney General of the State of Mississippi
528 shall submit this act, immediately upon approval by the Governor,
529 or upon approval by the Legislature subsequent to a veto, to the
530 Attorney General of the United States or to the United States
531 District Court for the District of Columbia in accordance with the
532 provisions of the Voting Rights Act of 1965, as amended and
533 extended.

534 **SECTION 5.** This act shall take effect and be in force from
535 and after the date it is effectuated under Section 5 of the Voting
536 Rights Act of 1965, or July 1, 2007, whichever occurs later, as
537 amended and extended.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO PROHIBIT PERSONS FROM QUALIFYING AS A CANDIDATE FOR
2 MORE THAN ONE OFFICE FOR THE SAME ELECTION IF THE LAW PROHIBITS A
3 PERSON FROM SIMULTANEOUSLY HOLDING BOTH POSITIONS; TO PROVIDE THAT
4 THE APPROPRIATE EXECUTIVE COMMITTEES OR ELECTION COMMISSIONERS
5 SHALL DETERMINE WHETHER A PERSON HAS QUALIFIED AS A CANDIDATE FOR
6 MORE THAN ONE OFFICE AT AN ELECTION; TO PROVIDE THE OFFICE FOR
7 WHICH THE PERSON SHALL BE QUALIFIED IN THE EVENT THAT SUCH PERSON
8 HAS QUALIFIED FOR MORE THAN ONE OFFICE AT AN ELECTION; TO AMEND
9 SECTIONS 23-15-299 AND 23-15-359, MISSISSIPPI CODE OF 1972, IN
10 CONFORMITY THERETO; AND FOR RELATED PURPOSES.

HR03\SB2056A.1J

Don Richardson
Clerk of the House of Representatives