

By: Senator(s) Blackwell, Seymour

To: Education; Elections

SENATE BILL NO. 2400

1 AN ACT TO CODIFY SECTION 37-6-17, MISSISSIPPI CODE OF 1972,
2 TO ENACT THE "NONPARTISAN SCHOOL BOARD ELECTION ACT"; TO PROVIDE
3 THAT BEGINNING WITH THE NOVEMBER 2023 GENERAL ELECTION, THE
4 MEMBERS OF THE COUNTY BOARDS OF EDUCATION, THE TRUSTEES OF
5 CONSOLIDATED SCHOOL DISTRICTS, THE ELECTED TRUSTEES FROM THE
6 SPECIAL MUNICIPAL SEPARATE SCHOOL DISTRICTS AND TRUSTEES ELECTED
7 FROM ADDED TERRITORY SHALL BE ELECTED IN A NONPARTISAN ELECTION
8 CONCURRENT WITH THE STATE GENERAL ELECTION; TO PROVIDE THAT THE
9 TERMS OF OFFICE OF ALL ELECTED SCHOOL BOARD MEMBERS SHALL BE FOUR
10 YEARS; TO PROVIDE FOR NOMINATING PETITIONS TO RUN FOR THE OFFICE
11 OF ELECTED SCHOOL BOARD MEMBERS AND A UNIFORM NUMBER OF SIGNATURES
12 ON SAID PETITIONS OF NOMINATION; TO PROVIDE THE PROCEDURE FOR
13 FILLING VACANCIES IN THE OFFICE OF ELECTED SCHOOL BOARD MEMBERS;
14 TO AMEND SECTIONS 37-5-1, 37-5-3, 37-5-7, 37-5-9, 37-5-18,
15 37-5-19, 37-7-203, 37-7-207, 37-7-221, 37-7-223, 37-7-225,
16 37-7-227 AND 37-7-229, MISSISSIPPI CODE OF 1972, IN CONFORMITY
17 THERETO; TO AMEND SECTION 37-7-703, MISSISSIPPI CODE OF 1972, TO
18 REQUIRE THE BOARD OF TRUSTEES OF THE NATCHEZ-ADAMS SPECIAL
19 MUNICIPAL SEPARATE SCHOOL DISTRICT TO BE ELECTED; TO PROVIDE THAT
20 THE NEW NATCHEZ-ADAMS COUNTY SCHOOL BOARD SHALL BE ELECTED FROM
21 DISTRICTS THAT ARE THE SAME AS THE BOARD OF SUPERVISORS DISTRICTS;
22 TO PROVIDE THAT THE ELECTION FOR THE SCHOOL BOARD SHALL BE A
23 NONPARTISAN ELECTION; TO PRESCRIBE THE PROCEDURES TO BE USED IF A
24 VACANCY OCCURS ON THE SCHOOL BOARD; TO PROVIDE THAT THE CANDIDATE
25 WITH THE HIGHEST NUMBER OF VOTES SHALL BE DECLARED ELECTED; TO
26 AMEND SECTIONS 23-15-193, 37-7-705, 37-7-707, 37-7-709, 37-7-711,
27 37-7-713, 37-7-715 AND 37-7-717, MISSISSIPPI CODE OF 1972, IN
28 CONFORMITY THERETO; TO REPEAL SECTIONS 37-7-204, 37-7-209,
29 37-7-211, 37-7-215, 37-7-217 AND 37-7-219, MISSISSIPPI CODE OF
30 1972, WHICH PROVIDE CERTAIN METHODS FOR ELECTING TRUSTEES OF
31 MUNICIPAL SEPARATE SCHOOL DISTRICTS FROM ADDED TERRITORY; AND FOR
32 RELATED PURPOSES.

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



34 **SECTION 1.** The following shall be codified as Section
35 37-6-17, Mississippi Code of 1972:

36 37-6-17. (1) This section shall be known as the
37 "Nonpartisan School Board Election Act." For purposes of this
38 section, the term "school board member" shall mean and include
39 members of the county boards of education, trustees of
40 consolidated school districts and line consolidated school
41 districts, trustees of special municipal separate school districts
42 who are elected and elected added territory members of a municipal
43 separate school district.

44 (2) On Tuesday after the first Monday in November 2023, and
45 every four (4) years thereafter and concurrently with the state
46 election for the Governor and other statewide offices, there shall
47 be held a nonpartisan election for all elected local school board
48 members, including members of the county boards of education,
49 trustees of consolidated school districts, trustees of special
50 municipal separate school districts who are elected and elected
51 added territory members of a municipal separate school district,
52 as provided under this section and applicable law. The laws
53 regulating the time and manner of conducting general elections
54 shall, except as otherwise provided in this section, apply to and
55 govern elections of school board members and trustees of the
56 applicable school districts. A school board member is a
57 nonpartisan office.



58 (3) All incumbent school board members holding office on the
59 effective date of this act shall continue holding their respective
60 offices. The term of office of all incumbent school board members
61 holding office within a school district on the effective date of
62 this act shall expire on January 1, 2024, but any such incumbent
63 may qualify to run for a subsequent four-year term under the
64 provisions of this section.

65 (4) In order for a person to be eligible to hold the office
66 of school board member or the office of trustee of any school
67 district, such person must be a bona fide resident and a qualified
68 elector of the territory that the person is representing on the
69 school board or board of trustees, and in the case of a school
70 district lying in two (2) or more counties, such person must be a
71 resident and a qualified elector of the territory entitled to such
72 representation on the board as provided in Section 37-7-201.

73 (5) The name of any qualified elector who is a candidate for
74 the county board of education, consolidated school district board
75 of trustees or special municipal school district board of trustees
76 or elected added territory member of a municipal separate school
77 district shall be placed on the ballot used in the general
78 election for President of the United States by the county election
79 commissioners, provided that the candidate files with the county
80 election commissioners, not more than ninety (90) days and not
81 less than sixty (60) days prior to the date of such general
82 election, a petition of nomination signed by not less than fifty



83 (50) qualified electors of the county residing within the
84 appropriate school board district, as provided in Section 37-5-9,
85 as the case may be. Where there are less than one hundred (100)
86 qualified electors in said area represented by the trustee, it
87 shall only be required that said petition of nomination be signed
88 by at least twenty percent (20%) of the qualified electors in said
89 area. The petition shall contain an affidavit certifying that all
90 signatures are the personal signatures of each person whose name
91 appears on the petition and that each person is a qualified
92 elector. The candidate who receives a majority of the votes cast
93 in the election shall be declared elected. If no candidate
94 receives a majority of the votes cast in the district, then the
95 two (2) candidates who receive the highest number of votes cast in
96 the district shall have their names submitted as candidates in a
97 runoff election three (3) weeks after the date of the general
98 election, and the candidate who receives a majority of the votes
99 cast in the district in the runoff election shall be declared
100 elected. If after the time for candidates to file the petition
101 and affidavit provided for herein, there should be only one (1)
102 person to qualify for the office of trustee, then no election or
103 notice of election shall be necessary and such person shall, if
104 otherwise qualified, be declared elected without opposition.

105 (6) The names of candidates for school board election which
106 appear on the ballot at the state general election for Governor
107 and other statewide officials shall be grouped together on a



108 separate portion of the ballot, clearly identified as nonpartisan
109 school board member elections. The names for school board members
110 shall be listed in alphabetical order on any ballot and no
111 reference to political party affiliation shall appear on any
112 ballot with respect to any nonpartisan school board member or
113 candidate.

114 (7) At any election for school board members, all qualified
115 electors, regardless of party affiliation or lack thereof,
116 residing with the appropriate school board election district shall
117 be qualified to vote for candidates for school board members.

118 (8) Vacancies in the membership of the county board of
119 education, consolidated school district board of trustees, special
120 municipal separate school district board of trustees or elected
121 added territory membership shall be filled by appointment, within
122 sixty (60) days after the vacancy occurs, by the remaining members
123 of the applicable school board. Said appointee shall be selected
124 from the qualified electors of the district in which the vacancy
125 occurs, and shall serve until the first Monday of January next
126 succeeding the next general election, at which general election a
127 member shall be elected to fill the remainder of the unexpired
128 term in the same manner and with the same qualifications
129 applicable to the election of a member for the full term as
130 provided in Section 37-6-17. In the event the school district is
131 under conservatorship and no members of the applicable school
132 board remain in office, the Governor shall call a special election



133 to fill the vacancies and said election will be conducted by the
134 county or municipal election commission, as the case may be. In
135 the event the vacancy occurs more than five (5) months prior to
136 the next general election and the remaining members of the
137 applicable school board are unable to agree upon an individual to
138 be appointed, any two (2) of the remaining members may certify
139 such disagreement to the county or municipal election commission,
140 as the case may be. Upon the receipt of such a certificate by the
141 county or municipal election commission, or any member thereof,
142 the commission shall hold a special election to fill the vacancy,
143 which said election, notice thereof and ballot shall be controlled
144 by the laws concerning special elections to fill vacancies in
145 county or municipal offices. The person elected at such a special
146 election shall serve for the remainder of the unexpired term.

147 **SECTION 2.** Section 37-5-1, Mississippi Code of 1972, is
148 amended as follows:

149 37-5-1. (1) There is hereby established a county board of
150 education in each county of the State of Mississippi. Said county
151 board of education shall consist of five (5) members, one (1) of
152 which, subject to the further provisions of this chapter and
153 except as is otherwise provided in Section 37-5-1(2), shall be
154 elected by the qualified electors of each board of education
155 district of the county, at the statewide general election as
156 provided in Section 37-6-17. Except as is otherwise provided in



157 Section 37-5-3, each member so elected shall be a resident and
158 qualified elector of the district from which he is elected.

159 (2) The county board of education shall apportion the county
160 school district into five (5) single member board of education
161 districts. The county board of education shall place upon its
162 minutes the boundaries determined for the new five (5) board of
163 education districts. The board of education of said county shall
164 thereafter publish the same in some newspaper of general
165 circulation within said county for at least three (3) consecutive
166 weeks and after having given notice of publication and recording
167 the same upon the minutes of the board of education of said
168 county, said new district lines will thereafter be effective. The
169 board of education of said county shall reapportion the board of
170 education districts in accordance with the procedure described
171 herein for the original apportionment of districts as soon as
172 practicable after the results of the 2000 decennial census are
173 published and as soon as practicable after every decennial census
174 thereafter.

175 (3) In counties where the office of "administrative
176 superintendent" as defined in Section 37-6-3, Mississippi Code of
177 1972, has been abolished, there shall be no county board of
178 education.

179 **SECTION 3.** Section 37-5-3, Mississippi Code of 1972, is
180 amended as follows:



181 37-5-3. No person who is a resident of the territory
182 embraced within a municipal separate school district or a special
183 municipal separate school district shall be eligible to be a
184 member of the county board of education. Qualified electors
185 residing within a municipal separate school district or special
186 municipal separate school district shall not be eligible to vote
187 or participate in the election of members of the county board of
188 education provided under Section 37-6-17.

189 The provisions of this section shall be applicable in the
190 case of a special municipal separate school district and a line
191 consolidated school district of which another county is the home
192 county which together occupy all of the territory of a supervisors
193 district of the county.

194 **SECTION 4.** Section 37-5-7, Mississippi Code of 1972, is
195 amended as follows:

196 37-5-7. (1) On the first Tuesday after the first Monday in
197 May * * * 1954, an election shall be held in each county in this
198 state in the same manner as general state and county elections are
199 held and conducted, which election shall be held for the purpose
200 of electing the county boards of education established under the
201 provisions of this chapter. At such election, the members of the
202 said board from Supervisors Districts * * * 1 and * * * 2 shall be
203 elected for the term expiring on the first Monday of January * * *
204 1957; members of the board from Supervisors Districts * * * 3
205 and * * * 4 shall be elected for a term expiring on the first



206 Monday of January * * * 1959; and the member of the board from
207 Supervisors District * * * 5 shall be elected for a term expiring
208 on the first Monday of January * * * 1955. Except as otherwise
209 provided in subsection (* * * 3), all subsequent members of the
210 board shall be elected for a term of six (6) years at the regular
211 general election held on the first Monday in November next
212 preceding the expiration of the term of office of the respective
213 member or members of such board. All members of the county board
214 of education as herein constituted, shall take office on the first
215 Monday of January following the date of their election.

216 (2) On the first Tuesday after the first Monday in
217 November * * * 2023, and every four (4) years thereafter, an
218 election shall be held in each such county in this state for the
219 purpose of electing the county boards of education in such
220 counties as provided in Section 37-6-17. * * *

221 (3) All members of the county board of education shall be
222 elected for a term of four (4) years and shall take office on the
223 first Monday of January following the date of their election.

224 (* * * 4) (a) Current members of the Board of Trustees of
225 the Greenwood Public School District serving on November 1, 2017,
226 shall continue in office as the new County Board of Education of
227 the Greenwood-Leflore School District until their successors are
228 elected as follows:

229 (i) The two (2) appointed board members of the
230 Greenwood Public School District whose terms are nearest to



231 expiration shall expire on January 1, 2019, and thereafter become
232 permanently elected positions to be filled by persons elected as
233 board members from Supervisors Districts 2 and 3 in a November
234 2018 election held for that purpose, in the manner prescribed in
235 Section 37-7-203, and the newly elected members will take office
236 on January 1, 2019, for a term of four (4) years;

237 (ii) The final two (2) appointed board members of
238 the Greenwood Public School District whose terms are the farthest
239 removed from expiration shall expire on January 1, 2020, and
240 thereafter become permanently elected positions to be filled by
241 persons elected as board members from Supervisors Districts 4 and
242 5 in a November 2019 election held for that purpose, in the manner
243 prescribed in Section 37-7-203, and the newly elected members will
244 take office on January 1, 2020, for a term of four (4) years; and

245 (iii) One (1) appointed board member of the
246 Greenwood Public School District whose term is next nearest to
247 expiration shall expire on January 1, 2021, and thereafter become
248 a permanently elected position to be filled by a person elected as
249 a board member from Supervisors District 1 in a November 2020
250 election held for that purpose, in the manner prescribed in
251 Section 37-7-203, and the newly elected members will take office
252 on January 1, 2021, for a term of four (4) years.

253 (b) All subsequent members shall be elected for a term
254 of four (4) years at the regular general election held on the
255 first Monday in November next preceding the expiration of the term



256 of office of the respective members, and shall take office on
257 January 1 next succeeding the election.

258 (* * *5) On the first Tuesday after the first Monday in
259 November 2017, an election shall be held in Holmes County for the
260 purpose of electing the county board of education in the new
261 Holmes County Consolidated School District. At the election, the
262 members of the said county board of education shall be elected
263 from single member board of education districts, which shall be
264 consistent with the supervisors district lines in the county, and
265 shall be elected for an initial term of six (6) years. Subsequent
266 elections for the Holmes County Board of Education shall be held
267 on the first Tuesday after the first Monday in November 2023 and
268 every four (4) years thereafter at the same time and manner as
269 other general elections are held, and the member shall be elected
270 for a term of four (4) years. All members of the county board of
271 education in the new Holmes County Consolidated School District
272 shall take office on the first Monday of January following the
273 date of their election.

274 (* * *6) On the first Tuesday after the first Monday in
275 November 2023, an election shall be held in Chickasaw County for
276 the purpose of electing the county board of education in the new
277 Chickasaw County School District. The board of supervisors shall
278 declare and designate posts for each member of the new board. At
279 said election, the members of the said county board of education
280 from Posts One and Two shall be elected for a term of four (4)



281 years, the members from Posts Three and Four shall be elected for
282 a term of three (3) years and the member from Post Five shall be
283 elected for a term of two (2) years. Thereafter, members shall be
284 elected at general elections as vacancies occur for terms of four
285 (4) years each. All members of the county board of education in
286 the new Chickasaw County School District shall take office on the
287 first Monday of January following the date of their election.

288 **SECTION 5.** Section 37-5-9, Mississippi Code of 1972, is
289 amended as follows:

290 37-5-9. As specifically provided in Section 37-6-17, the
291 name of any qualified elector who is a candidate for the county
292 board of education shall be placed on the ballot used in the
293 general elections by the county election commissioners. * * *

294 * * *

295 In no case shall any qualified elector residing within a
296 municipal separate school district or special municipal separate
297 school district be eligible to sign a petition of nomination for
298 any candidate for the county board of education under any of the
299 provisions of this section.

300 **SECTION 6.** Section 37-5-18, Mississippi Code of 1972, is
301 amended as follows:

302 37-5-18. In any county bordering on the Mississippi Sound
303 and having therein at least four (4) municipal separate school
304 districts, each member of the county board of education
305 established by Section 37-5-1 for such county shall be elected



306 from and shall be a resident and qualified elector in a special
307 district determined in the following manner:

308 The board of education of such a county shall apportion the
309 county into five (5) board of education districts in the territory
310 outside the municipal separate school districts and these board of
311 education districts shall be divided as nearly equal as possible
312 according to population, incumbency and other factors heretofore
313 pronounced by the courts. The board of education shall place upon
314 its minutes the boundaries determined for the new five (5) board
315 of education districts. The board of education of said county
316 shall thereafter publish the same in some newspaper of general
317 circulation within said county for at least three (3) consecutive
318 weeks and after having given notice of publication and recording
319 the same upon the minutes of the board of education of said
320 county, said new district lines will thereafter be effective. The
321 members of the county board of education of the county described
322 in this section shall be elected in the manner provided in Section
323 37-6-17.

324 * * *

325 **SECTION 7.** Section 37-5-19, Mississippi Code of 1972, is
326 amended as follows:

327 37-5-19. Vacancies in the membership of the county board of
328 education shall be filled * * * in the manner provided in Section
329 37-6-17(8).



330 **SECTION 8.** Section 37-7-203, Mississippi Code of 1972, is
331 amended as follows:

332 37-7-203. (1) Except as otherwise provided in subsections
333 (3) and (4) of this section, the boards of trustees of all
334 municipal separate school districts created under this chapter,
335 either with or without added territory, shall consist of five (5)
336 members, each to be chosen for a term of five (5) years, but so
337 chosen that the term of office of one (1) member shall expire each
338 year. In the event the added territory of a municipal separate
339 school district furnishes fifteen percent (15%) or more of the
340 pupils enrolled in the schools of such district, then at least one
341 (1) member of the board of trustees of such school district shall
342 be a resident of the added territory outside the corporate limits.
343 In the event the added territory of a municipal separate school
344 district furnishes thirty percent (30%) or more of the pupils
345 enrolled in the schools of such district, then not more than two
346 (2) members of the board of trustees of such school district shall
347 be residents of the added territory outside the corporate
348 limits. * * *

349 Except as otherwise provided herein, the trustees of such a
350 municipal separate school district shall be elected by a majority
351 of the governing authorities of the municipality at the first
352 meeting of the governing authorities held in the month of February
353 of each year, and the term of office of the member so elected
354 shall commence on the first Saturday of March following. In the



355 case of a member of the board of trustees who is required to come
356 from the added territory outside the corporate limits as is above
357 provided, such member of the board of trustees shall be elected by
358 the qualified electors of the school district residing in such
359 added territory outside the corporate limits at the same time and
360 in the same manner as is * * * provided in Section 37-6-17,
361 Mississippi Code of 1972.

362 In the event that a portion of a county school district is
363 reconstituted, in the manner provided by law, into a municipal
364 separate school district with added territory and in the event
365 that the trustees to be elected from the added territory are
366 requested to be elected from separate election districts within
367 the added territory, instead of elected at large, by the Attorney
368 General of the United States as a result of and pursuant to
369 preclearance under Section 5 of the Voting Rights Act of 1965, as
370 amended and extended, and in the event the added territory of a
371 municipal separate school district of a municipality furnishes
372 thirty percent (30%) or more of the pupils enrolled in the schools
373 of such district, then two (2) members of the board of trustees
374 shall be residents of the added territory outside the corporate
375 limits of such municipality and shall be elected from special
376 trustee election districts by the qualified electors thereof as
377 herein provided. The board of trustees of the school district
378 shall apportion the added territory into two (2) special trustee
379 election districts as nearly as possible according to population



380 and other factors heretofore pronounced by the courts. The board
381 of trustees of the school district shall thereafter publish the
382 same in a newspaper of general circulation within that school
383 district for at least two (2) consecutive weeks; and after having
384 given notice of publication and recording the same upon the
385 minutes of the board of trustees of the school district, the new
386 district lines shall thereafter be effective. Any person elected
387 from the new trustee election districts constituted herein shall
388 be elected in the manner provided for in Section * * * 37-6-17,
389 Mississippi Code of 1972, for a term of four (4) years. Any
390 vacancy in the office of a trustee elected from such trustee
391 election district, whether occasioned by redistricting or by other
392 cause, shall be filled by appointment of the governing authorities
393 of the municipality, provided that the person so appointed shall
394 serve only until the next general election following his
395 appointment, at which time a person shall be elected for the
396 remainder of the unexpired term in the manner provided in
397 Section * * * 37-6-17(8).

398 In any county organizing a countywide municipal separate
399 school district after January 1, 1965, the trustees thereof to be
400 elected from outside the municipality, such trustees shall be
401 elected by the board of supervisors of such county, and the
402 superintendent of such school district shall have authority to pay
403 out and distribute the funds of the district. In the event a
404 municipal separate school district should occupy territory in a



405 county other than that in which the municipality is located and
406 fifteen percent (15%) or more of the pupils enrolled in the
407 schools of such district shall come from the territory of the
408 district in the county other than that in which the municipality
409 is located, the territory of such county in which the municipality
410 is not located shall be entitled to one (1) member on the board of
411 trustees of such school district. The trustee shall be a resident
412 of the territory of that part of the district lying in the county
413 in which the municipality is not located and shall be elected by
414 the qualified electors of the territory of such county at the same
415 time and in the same manner as is provided for the election of
416 trustees of school districts other than municipal separate school
417 districts having territory in two (2) or more counties.

418 All vacancies shall be filled for the unexpired terms by
419 appointment of the governing authorities of the municipality;
420 except that in the case of the trustees coming from the added
421 territory outside the corporate limits, the person so appointed
422 shall serve only until the next general election following his
423 appointment, at which time a person shall be elected for the
424 remainder of the unexpired term in the manner otherwise
425 provided * * * for in Section 37-6-17(8).

426 No person who is a member of such governing body, or who is
427 an employee of the municipality, or who is a member of the county
428 board of education, or who is a trustee of any public, private or
429 sectarian school or college located in the county, inclusive of



430 the municipal separate school district, or who is a teacher in or
431 a trustee of the school district, shall be eligible for
432 appointment to the board of trustees.

433 (2) In counties of less than fifteen thousand (15,000)
434 people having a municipal separate school district with added
435 territory which embraces all the territory of a county, * * * one
436 (1) trustee must be elected from each supervisors district of the
437 county at the time and in the manner provided in Section 37-6-17.

438 In such counties embraced entirely by a municipal separate school
439 district, there shall be no county board of education after the
440 formation of such district, and the county superintendent of
441 education shall act as superintendent of schools of the district
442 and shall be appointed by the board of trustees of that district,
443 and the provisions of subsection (1) of this section and the first
444 paragraph of Section 37-7-211 shall not apply to such districts.

445 (3) In municipalities designated as having a mayor-council
446 form of government under Chapter 8, Title 21, Mississippi Code of
447 1972, and having a population in excess of one hundred thousand
448 (100,000) according to the 2000 federal decennial census, the
449 boards of trustees of the municipal separate school district
450 located in the municipality may, if authorized by ordinance of the
451 municipal governing authority, consist of seven (7) members
452 residing in each of the seven (7) wards in the municipality, to be
453 appointed by the mayor and confirmed by the city council as
454 follows: (a) each board member shall reside in the ward from



455 which he is appointed; (b) members serving on March 31, 2010,
456 shall continue to serve until a new term commences and new members
457 shall be selected from wards not currently represented on the
458 board; (c) one (1) of the two (2) additional appointments shall
459 serve a term of five (5) years and one (1) for a term of four (4)
460 years, with all subsequent appointments for a five-year term; and
461 (d) each new appointment shall be made by the mayor and confirmed
462 by the city council of the municipality at the first meeting of
463 the governing authorities held in the month of June following
464 March 31, 2010, and thereafter each year, and the term of office
465 of each member so selected shall commence on the first Saturday of
466 July following.

467 (4) (a) Beginning in 2017, in any municipal separate school
468 district that is traversed by the Escatawpa River and in which
469 Interstate Highway 10 and Mississippi Highway 63 intersect, the
470 board of trustees of the municipal separate school district shall
471 consist of five (5) members, each to be elected for a term of four
472 (4) years in the manner provided in this subsection. Within
473 forty-five (45) days after July 1, 2017, the municipal governing
474 authority shall apportion the municipal separate school district,
475 including any added territory outside the corporate limits, into
476 five (5) special trustee election districts as nearly equal as
477 possible according to population, incumbency and other factors
478 pronounced by the courts before August 8, 2017. The municipal
479 governing authority shall place upon its minutes the boundaries



480 determined for the new five (5) trustee election districts and
481 shall publish the same in a newspaper of general circulation
482 within the school district for at least three (3) consecutive
483 weeks. After having given notice of publication and recording the
484 same upon the minutes of the municipal governing authority, the
485 new district lines shall be effective.

486 (b) On the first Tuesday after the first Monday in
487 November 2017, and every four (4) years thereafter, an election
488 shall be held in the municipal separate school district for local
489 school board members from trustee election districts 1, 3 and 5 in
490 the same manner and at the same time as the general municipal
491 election is held and conducted, for the purpose of electing the
492 board of trustees of the municipal separate school district. All
493 members of the board of trustees elected pursuant to this
494 paragraph (b) shall take office on the first Monday of January
495 immediately following the date of their election. However, in
496 order to provide for an orderly transition, the term of each
497 member of the board of trustees serving on July 1, 2017, which
498 otherwise would expire after the first Monday in July 2018, shall
499 expire on the first Monday of January 2018. If no individual
500 qualifies for the elective office of school district trustee, the
501 trustee for that specific trustee district shall be filled by
502 appointment of the municipal governing authority; however, the
503 person so appointed to fill the vacancy may serve only until the
504 first Monday in January 2019, at which time the trustee elected



505 pursuant to this subsection shall take office for the remainder of
506 the unexpired initial term.

507 From and after January 1, 2018, any vacancy on the board of
508 trustees shall be filled by appointment by the remaining members
509 of the board of trustees within sixty (60) days after the vacancy
510 occurs. The appointee must be selected from the qualified
511 electors of the trustee election district in which the vacancy
512 occurs. The appointee shall serve until the first Monday of
513 January succeeding the next general municipal election, at which
514 election a member from that trustee election district shall be
515 elected for a full term.

516 (c) On the first Tuesday after the first Monday in
517 November 2018, and every four (4) years thereafter, an election
518 shall be held in the municipal separate school district for local
519 school board members from trustee election districts 2 and 4 in
520 the same manner and at the same time as the Congressional mid-term
521 election is held and conducted, for the purpose of electing the
522 board of trustees of the municipal separate school district. All
523 members of the board of trustees elected pursuant to this
524 paragraph (c) shall take office on the first Monday of January
525 immediately following the date of their election. However, in
526 order to provide for an orderly transition, the term of each
527 member of the board of trustees serving on July 1, 2018, which
528 otherwise would expire after the first Monday in July 2018, shall
529 expire on the first Monday of January 2019. If no individual



530 qualifies for the elective office of school district trustee, the
531 trustee for that specific trustee district shall be filled by
532 appointment of the municipal governing authority; however, the
533 person so appointed to fill the vacancy may serve only until the
534 first Monday in January 2020, at which time the trustee elected
535 pursuant to this subsection shall take office for the remainder of
536 the unexpired initial term.

537 From and after July 1, 2020, any vacancy on the board of
538 trustees shall be filled by appointment by the remaining members
539 of the board of trustees within sixty (60) days after the vacancy
540 occurs. The appointee must be selected from the qualified
541 electors of the trustee election district in which the vacancy
542 occurs. The appointee shall serve until the first Monday of July
543 succeeding the next general municipal election, at which election
544 a member from that trustee election district shall be elected for
545 a full term.

546 **SECTION 9.** Section 37-7-207, Mississippi Code of 1972, is
547 amended as follows:

548 37-7-207. (1) All school districts reconstituted or created
549 under the provisions of Article 1 of this chapter, and which lie
550 wholly within one (1) county, but not including municipal separate
551 and countywide districts, shall be governed by a board of five (5)
552 trustees. The first board of trustees of such districts shall be
553 appointed by the county board of education, and the original
554 appointments shall be so made that one (1) trustee shall be



555 appointed to serve until the first Saturday of March following
556 such appointments, one (1) for one (1) year longer, one (1) for
557 two (2) years longer, one (1) for three (3) years longer, and one
558 (1) for four (4) years longer. * * * Provided, however, that
559 beginning with the November 2023 statewide general election, the
560 trustees of such school districts shall be elected at the time and
561 in the manner provided in Section 37-6-17 for terms of four (4)
562 years. The five (5) members of the board of trustees of such
563 consolidated school district shall be elected from special trustee
564 election districts by the qualified electors thereof, as herein
565 provided. The board of trustees of any such consolidated school
566 district shall apportion the consolidated school district into
567 five (5) special trustee election districts. The board of
568 trustees of such school district shall place upon its minutes the
569 boundaries determined for the new five (5) trustee election
570 districts. The board of trustees shall thereafter publish the
571 same in a newspaper of general circulation within said school
572 district for at least three (3) consecutive weeks; and after
573 having given notice of publication and recording the same upon the
574 minutes of the board of trustees, said new district lines shall
575 thereafter be effective.

576 * * * All members of the said board of trustees shall take
577 office on the first Monday of January following the date of their
578 election. All vacancies which may occur during a term shall be
579 filled * * * in the manner provided in Section 37-6-17(8).



580 (2) All school districts reconstituted and created under the
581 provisions of Article 1 of this chapter, which embrace territory
582 in two (2) or more counties, but not including municipal separate
583 school districts, shall be governed by a board of five (5)
584 trustees. In making the original appointments, the several county
585 boards of education shall appoint the trustee or trustees to which
586 the territory in such county is entitled * * * by agreement
587 between the county boards concerned * * *. Provided, however,
588 that beginning with the November 2023 statewide general election,
589 the members of such line consolidated school district board of
590 trustees shall be elected at the time and in the manner provided
591 in Section 37-6-17 for terms of four (4) years. The five (5)
592 members of the board of trustees of such line consolidated school
593 district shall be elected from special trustee election districts
594 by the qualified electors thereof, as herein provided. The
595 existing board of trustees of such line consolidated school
596 district shall apportion the line consolidated school district
597 into five (5) special trustee election districts. The board of
598 trustees shall place upon its minutes the boundaries determined
599 for the new five (5) trustee election districts. The board of
600 trustees shall thereafter publish the same in a newspaper of
601 general circulation within said school district for at least three
602 (3) consecutive weeks; and after having given notice of
603 publication and recording the same upon the minutes of the board
604 of trustees, said new district lines shall thereafter be



605 effective. Provided, however, that in any line consolidated
606 school district encompassing two (2) or more counties created
607 pursuant to Laws, 1953, Extraordinary Session, Chapter 12, Section
608 8, in which, as a condition precedent to the creation of said
609 district, each county belonging thereto was contractually
610 guaranteed to always have at least one (1) representative on said
611 board, in order that said condition precedent may be honored and
612 guaranteed, in any year in which the board of trustees of such
613 line consolidated school district does not have at least one (1)
614 member from each county or part thereof forming such district, the
615 board of trustees in such district shall be governed by a board of
616 a sufficient number of trustees to fulfill this guarantee, five
617 (5) of whom shall be elected from the five (5) special trustee
618 election districts which shall be as nearly equal as possible and
619 one (1) member trustee appointed at large from each county not
620 having representation on the elected board. In such cases, the
621 board of supervisors of each county shall make written agreement
622 to guarantee the manner of appointment of at least one (1)
623 representative from each county in the district, placing such
624 written agreement on the minutes of each board of supervisors in
625 each county.

626 * * * All members of the said board of trustees shall take
627 office on the first Monday of January following the date of their
628 election. In all elections, the trustee elected shall be a
629 resident and qualified elector of the district entitled to the



630 representation upon the board, and he shall be elected only by the
631 qualified electors of such district in the manner provided in
632 Section 37-6-17. All vacancies which may occur during a term of
633 office shall be filled * * * in the manner provided in Section
634 37-16-7(8).

635 **SECTION 10.** Section 37-7-221, Mississippi Code of 1972, is
636 amended as follows:

637 37-7-221. The election of consolidated or consolidated line
638 school district trustees shall be held in the manner provided for
639 in * * * Section 37-6-17 rather than the method now provided by
640 Sections 37-7-209 through 37-7-219.

641 **SECTION 11.** Section 37-7-223, Mississippi Code of 1972, is
642 amended as follows:

643 37-7-223. All elections of consolidated or consolidated line
644 school district trustees shall be held * * * concurrently with the
645 statewide general election for Governor and other statewide
646 officials as provided in Section 37-6-17.

647 **SECTION 12.** Section 37-7-225, Mississippi Code of 1972, is
648 amended as follows:

649 37-7-225. The county election commissioners shall place the
650 name of any person eligible to hold the office of trustee on the
651 ballot used in the election, provided that such candidate shall
652 have filed with the county registrar * * * a petition of
653 nomination signed by * * * qualified electors of the school
654 district in the manner provided in Section 37-6-17. * * *



655 * * *

656 **SECTION 13.** Section 37-7-227, Mississippi Code of 1972, is
657 amended as follows:

658 37-7-227. * * * The candidate who receives a majority of the
659 votes cast * * * shall be declared elected, and the person or
660 persons elected to a full term shall assume the duties of his
661 office on the first day of January of the year following such
662 election. * * * If no candidate receives a majority of the votes
663 cast at the election, a runoff shall be held in the same manner
664 three (3) weeks after the election between the two (2) candidates
665 receiving the highest number of votes upon the first ballot, as
666 specifically provided in Section 37-6-17.

667 * * *

668 **SECTION 14.** Section 37-7-229, Mississippi Code of 1972, is
669 amended as follows:

670 37-7-229. For the purpose of holding such election, it shall
671 be the duty of the county election commissioners to prepare from
672 the records in the office of the county registrar a list of the
673 qualified electors of the school district in which such election
674 is to be held who are eligible to participate in such election.
675 Such list shall be furnished to the election managers in each
676 precinct, together with the ballots and other election supplies.

677 In the event that any election precinct embraces parts of two
678 (2) or more school districts it shall be the duty of the county
679 election commissioners to prepare from the records in the office



680 of the county registrar separate lists of the qualified electors
681 of each school district who reside in said precinct and who are
682 eligible to participate in such election. Said election
683 commissioners shall furnish to the election managers in said
684 precinct separate ballots and separate ballot boxes and separate
685 voting lists for each school district.

686 For each day spent in carrying out the provisions of Sections
687 37-7-225 through 37-7-229 and Section 37-6-17, the county election
688 commissioners shall be paid at the rate prescribed by law.

689 **SECTION 15.** Section 37-7-703, Mississippi Code of 1972, is
690 amended as follows:

691 37-7-703. (1) Except as otherwise provided in subsection
692 (2) of this section, in all such special municipal separate school
693 districts which embrace the entire county in which, according to
694 the latest available federal census, a majority of the inhabitants
695 of the county reside within the corporate limits of the
696 municipality, the board of trustees of such special municipal
697 separate school district shall be chosen and selected in the
698 manner provided by subsection (1) of Sections 37-7-203 and
699 37-6-17, and all of the provisions thereof shall be fully
700 applicable in all respects to the selection and constitution of
701 such board of trustees.

702 (2) (a) Notwithstanding any other provision of law to the
703 contrary, beginning at the election on the first Tuesday after the
704 first Monday in November 2019, the board of trustees of the



705 Natchez-Adams Special Municipal Separate School District shall be
706 elected in the manner prescribed in this section.

707 (b) On the first Tuesday after the first Monday in
708 November 2019, an election shall be held in the current
709 Natchez-Adams Special Municipal Separate School District for the
710 purpose of electing the members of the new Natchez-Adams County
711 School Board. All members of the Natchez-Adams County School
712 Board shall take office on January 2, 2020, and shall serve until
713 January 1, 2024. On the first Tuesday after the first Monday in
714 November 2019 and every four (4) years thereafter, the new
715 Natchez-Adams County School Board shall be elected for a term of
716 four (4) years. The five (5) members of the Natchez-Adams County
717 School Board shall be elected from five (5) special trustee
718 election districts, which shall be the same as the board of
719 supervisors districts, by the qualified electors of each district,
720 as provided in this subsection. All incumbent trustees holding
721 office on July 1, 2018, shall continue holding their respective
722 offices through December 31, 2019. Their successors shall be
723 elected from the new trustee election districts constituted in
724 this section in the manner provided for in this section.

725 (c) Candidates for the new Natchez-Adams County School
726 Board shall file their intent to be a candidate with the circuit
727 clerk no later than 5:00 p.m. on March 1, 2019, and no later than
728 5:00 p.m. on March 1 every four (4) years thereafter. The



729 candidates shall pay to the proper officials the sum of Fifteen
730 Dollars (\$15.00).

731 (3) (a) The Natchez-Adams County School Board members shall
732 be nonpartisan offices, and a candidate for election thereto is
733 prohibited from campaigning or qualifying for the office based on
734 party affiliation.

735 (b) The names of the candidates for the Natchez-Adams
736 County School Board which appear on the ballot at the November
737 election in 2019 and in the general election every four (4) years
738 thereafter shall be grouped together on a separate portion of the
739 ballot, clearly identified as a nonpartisan school board election.

740 (c) The names of all candidates for the Natchez-Adams
741 County School Board shall be listed in alphabetical order on any
742 ballot, and no reference to political party affiliation shall
743 appear on any ballot with respect to the nonpartisan school board
744 offices.

745 (4) If two (2) or more candidates qualify for the office of
746 Natchez-Adams County School Board in any district, the names of
747 those candidates shall be placed on the ballot. The candidate
748 with the highest number of votes shall be declared elected. Any
749 tie votes in the election which must be resolved in order to
750 determine who is elected shall be resolved in the manner
751 prescribed by Section 23-15-601.

752 (5) In any election for the Natchez-Adams County School
753 Board of this section, all qualified electors, regardless of party



754 affiliation or lack thereof, shall be qualified to vote for
755 candidates for nomination for school board.

756 (6) Vacancies in the membership of the Natchez-Adams County
757 School Board shall be filled by appointment, within sixty (60)
758 days after the vacancy occurs, by either the governing authorities
759 of the municipality or the board of supervisors of the county,
760 whichever has the higher number of students in the school district
761 from that school board member's district. The appointee shall be
762 selected from the qualified electors of the district in which the
763 vacancy occurs. The president of the municipal governing
764 authority or of the board of supervisors, as the case may be,
765 shall certify to the Secretary of State the fact of the
766 appointment, and the Governor shall commission the person
767 appointed. If the unexpired term is longer than six (6) months,
768 the appointee shall serve until a successor is elected at the next
769 special election, unless the vacancy occurs ninety (90) days
770 before the general election in a year in which an election would
771 normally be held for that office as provided by law, in which case
772 the person appointed shall serve the unexpired portion of the
773 term. The vacancies shall be filled for the unexpired term by the
774 qualified electors at the next regular special election day
775 occurring more than ninety (90) days after the occurrence of the
776 vacancy. The president of the municipal governing authority or of
777 the board of supervisors, as the case may be, within ten (10) days
778 after the happening of the vacancy, shall make an order, in



779 writing, directed to the commissioners of election, commanding an
780 election to be held on the next regular special election day to
781 fill the vacancy. The election commissioners shall require each
782 candidate to qualify at least sixty (60) days before the date of
783 the election, and shall give a certificate of election to the
784 person elected, and shall return to the Secretary of State a copy
785 of the order of holding the election and the results of the
786 election, certified by the president of the municipal governing
787 authority or of the board of supervisors, as the case may be. The
788 election shall be held in the manner provided for in this section.
789 The Governor shall commission the person elected.

790 However, where only one (1) person has qualified with the
791 commissioners of election to be a candidate within the time
792 provided by law, the commissioners of election shall certify to
793 the municipal governing authority or the board of supervisors, as
794 the case may be, that there is but one (1) candidate. The
795 municipal governing authority or the board of supervisors, as the
796 case may be, shall dispense with the election and shall appoint
797 the certified candidate to fill the unexpired term. The president
798 of the municipal governing authority or of the board of
799 supervisors, as the case may be, shall certify to the Secretary of
800 State the candidate so appointed to serve in the office, and the
801 Governor shall commission the candidate. If no person has
802 qualified at least sixty (60) days before the date of the
803 election, the commissioners of election shall certify that fact to



804 the municipal governing authority or the board of supervisors, as
805 the case may be, which shall dispense with the election and fill
806 the vacancy by appointment. The president of the municipal
807 governing authority or the board of supervisors, as the case may
808 be, shall certify to the Secretary of State the fact of the
809 appointment, and the Governor shall commission the appointed
810 person.

811 **SECTION 16.** Section 23-15-193, Mississippi Code of 1972, is
812 amended as follows:

813 23-15-193. At the election in 1995, and every four (4) years
814 thereafter, there shall be elected a Governor, Lieutenant
815 Governor, Secretary of State, Auditor of Public Accounts, State
816 Treasurer, Attorney General, three (3) Public Service
817 Commissioners, three (3) Mississippi Transportation Commissioners,
818 Commissioner of Insurance, Commissioner of Agriculture and
819 Commerce, Senators and members of the House of Representatives in
820 the Legislature, district attorneys for the several districts,
821 clerks of the circuit and chancery courts of the several counties,
822 as well as sheriffs, coroners, assessors, surveyors and members of
823 the boards of supervisors, justice court judges * * *, constables,
824 and members of the county boards of education, trustees of
825 consolidated school districts and line consolidated school
826 districts, trustees of special municipal separate school districts
827 who are elected and elected added territory members of a municipal
828 separate school district as provided in Section 37-16-7, including



829 any special municipal school district described in Section
830 37-7-703(2) (a), all other officers to be elected by the people at
831 the general state election. All such officers shall hold their
832 offices for a term of four (4) years, and until their successors
833 are elected and qualified. The state officers shall be elected in
834 the manner prescribed in Section 140 of the Constitution.

835 **SECTION 17.** Section 37-7-705, Mississippi Code of 1972, is
836 amended as follows:

837 37-7-705. Except as provided in Section 37-7-703(2), in all
838 such special municipal separate school districts which may be so
839 organized, reorganized or reconstituted to embrace the entire
840 county in which the majority of the inhabitants of the county
841 reside outside the corporate limits of the municipality, the board
842 of trustees of such district shall be constituted in accordance
843 with the provisions of Sections 37-7-707 through 37-7-711, unless
844 the governing authorities of the municipality and of the county
845 shall have provided for one (1) of the alternative methods of
846 organization as provided by Sections 37-7-715 and 37-7-717.

847 **SECTION 18.** Section 37-7-707, Mississippi Code of 1972, is
848 amended as follows:

849 37-7-707. Except as provided in Section 37-7-703(2), in all
850 such special municipal separate school districts which may be so
851 organized, reorganized or reconstituted to embrace the entire
852 county in which the majority of the inhabitants of the county
853 reside outside the corporate limits of the municipality, the board



854 of trustees of such district shall be composed of five (5)
855 members, one (1) of whom shall be a resident qualified elector of
856 each supervisors district of the county. Said trustees shall be
857 elected from the county at large by the qualified electors of the
858 county at the first regular general election following the
859 approval by the State Educational Finance Commission of the
860 organization of such district. Such trustees shall take office on
861 the first Monday of January following their election.

862 At such election the members of the said board from
863 supervisors Districts One and Five shall be elected for a term of
864 six (6) years, the members from Districts Three and Four shall be
865 elected for a term of four (4) years, and the members from
866 District Two shall be elected for a term of two (2) years.
867 Thereafter, members shall be elected at regular general elections
868 as vacancies occur for terms of six (6) years each and shall take
869 office on the first Monday of January after their election.

870 **SECTION 19.** Section 37-7-709, Mississippi Code of 1972, is
871 amended as follows:

872 37-7-709. Except as provided in Section 37-7-703(2), in all
873 such special municipal separate school districts which may be so
874 organized, reorganized or reconstituted to embrace the entire
875 county in which the majority of the inhabitants of the county
876 reside outside the corporate limits of the municipality, all
877 vacancies which may occur during the term of office shall be
878 filled by appointment by the remaining members of the board of



879 trustees, such appointee to have the same qualifications as other
880 members of the board and to reside in the same supervisors
881 district as the former member whose death, removal or resignation
882 caused the vacancy. Such appointment shall be made within thirty
883 (30) days after the vacancy occurs. The person so appointed shall
884 serve only until the first Monday of January following the next
885 regular general election after such appointment and, at the
886 regular general election next preceding such first Monday in
887 January, a person shall be elected for the remainder of the
888 unexpired term at the same time and in the same manner as a
889 trustee is elected for the full term next expiring, and such
890 person shall take office on said first Monday of January.

891 **SECTION 20.** Section 37-7-711, Mississippi Code of 1972, is
892 amended as follows:

893 37-7-711. Except as provided in Section 37-7-703(2), in all
894 such special municipal separate school districts which may be so
895 organized, reorganized or reconstituted to embrace the entire
896 county in which the majority of the inhabitants of the county
897 reside outside the corporate limits of the municipality, the name
898 of any qualified elector who is a candidate for the board of
899 trustees of such special municipal separate school district,
900 whether such person be a candidate for an unexpired term or for a
901 full term, shall be placed on the ballot used in the elections,
902 provided that the candidate files with the county election
903 commissioners, not more than ninety (90) days and not less than



904 sixty (60) days prior to the date of such general election, a
905 petition of nomination signed by not less than fifty (50)
906 qualified electors of the county. Where there are less than one
907 hundred (100) qualified electors in said area represented by the
908 trustee, it shall only be required that said petition of
909 nomination be signed by at least twenty percent (20%) of the
910 qualified electors in said area. Provided, however, that in any
911 such special municipal separate school district which embraces the
912 entire county and which borders the Mississippi River and in which
913 Interstate Highway 20 and United States Highway 61 intersect and
914 having a population in excess of forty-seven thousand (47,000)
915 according to the 1990 federal decennial census, the candidate
916 shall be required to file a petition of nomination with the county
917 election commissioners not less than sixty (60) days prior to the
918 date of such general election, in addition to the other
919 requirements prescribed herein.

920 The candidate in each election who receives the highest
921 number of votes cast in the election shall be declared to have
922 been elected.

923 **SECTION 21.** Section 37-7-713, Mississippi Code of 1972, is
924 amended as follows:

925 37-7-713. Except as provided in Section 37-7-703(2), in all
926 special municipal separate school districts where the district
927 embraces less than the entire area of the county and where the
928 majority of the educable children of such district reside outside



929 the limits of the municipality, unless the governing authorities
930 of the municipality and the county provide for one (1) of the
931 alternative methods of organization as set out in Sections
932 37-7-715 and 37-7-717, the said special municipal separate school
933 district shall be governed by a board of trustees consisting of
934 five (5) members, to be elected by the qualified electors of such
935 municipal separate school district from the district at large in
936 the manner provided by Sections 37-7-209 through 37-7-219, and all
937 duties imposed upon the county superintendent of education by said
938 sections with reference to such elections shall be imposed upon
939 and performed by the superintendent of the municipal separate
940 school district. However, the first board of trustees of such
941 special municipal separate school district shall be appointed in
942 the following manner. The governing authorities of the
943 municipality shall appoint three (3) trustees, and such
944 appointments shall be made so that one (1) trustee shall be
945 appointed to serve until the first Saturday of March following
946 such appointment, one (1) for two (2) years longer, and one (1)
947 for four (4) years longer. The board of education of the county
948 shall appoint two (2) trustees, such appointments to be made so
949 that one (1) trustee shall be appointed to serve until the first
950 Saturday of March of the second year following such appointment,
951 and one (1) trustee for two (2) years longer. After such original
952 appointments the trustees of such a special municipal separate
953 school district shall be elected for a term of five (5) years, as



954 herein provided. All such members of said board of trustees shall
955 be residents and qualified electors of such school district. All
956 vacancies which may occur during a term of office shall be filled
957 by appointment by the remaining members of the board of trustees,
958 such appointee to have the same qualifications as other members of
959 the board. Such appointment shall be made within thirty (30) days
960 after the vacancy occurs. The person so appointed shall serve
961 only until his successor shall have qualified. The successor to
962 serve the remainder of the unexpired term shall be elected on the
963 first Saturday of March next following the occurrence of such
964 vacancy in the same manner as provided for by Sections 37-7-209
965 through 37-7-219.

966 **SECTION 22.** Section 37-7-715, Mississippi Code of 1972, is
967 amended as follows:

968 37-7-715. Except as provided in Section 37-7-703(2), upon
969 the organization, reorganization or reconstitution of any special
970 municipal separate school district, the board of supervisors of
971 the county wherein such special municipal separate school district
972 is located and the governing authorities of the municipality may,
973 by an order spread upon their minutes within sixty (60) days after
974 such organization, reorganization or reconstitution shall have
975 become final, expressing an agreement between both such governing
976 authorities, choose to constitute the board of such special
977 municipal separate school district under one (1) of the optional
978 methods of organization set out in Section 37-7-717. In the event



979 that both the governing authorities hereinabove referred to shall
980 enter such an order within said period, then the said board of
981 trustees shall be thereafter constituted and selected according to
982 the terms of such agreement, provided such agreement is in
983 conformity with the terms of Section 37-7-717. It is further
984 expressly provided that irregularities of a procedural nature in
985 the adoption of such orders shall not affect the validity of the
986 same or the validity of any acts of the board of trustees which
987 may be constituted by virtue thereof.

988 **SECTION 23.** Section 37-7-717, Mississippi Code of 1972, is
989 amended as follows:

990 37-7-717. Except as provided in Section 37-7-703(2), upon
991 complying with the terms and provisions of Section 37-7-715,
992 hereof, the board of supervisors of any county wherein there is a
993 special municipal separate school district and the governing
994 authorities of the municipality may provide that the board of
995 trustees of such special municipal separate school district shall
996 be organized and constituted in one (1) of the following manners:

997 (a) The said board may consist of five (5) members, all
998 of whom shall be bona fide residents of and qualified electors of
999 such school districts and who shall be appointed by either the
1000 board of supervisors, the governing authorities of the
1001 municipality, or by both of said bodies in such proportion as the
1002 governing bodies may agree upon. The first such board shall be
1003 appointed so that one (1) trustee shall be appointed to serve for



1004 one (1) year, one (1) for one (1) year longer, one (1) for two (2)
1005 years longer, one (1) for three (3) years longer, and one (1) for
1006 four (4) years longer. Upon the expiration of each such original
1007 term, each appointment shall be for five (5) years and shall be
1008 made by the authority making the original appointment. In case of
1009 the occurrence of a vacancy, the authority which made the
1010 appointment of the trustee responsible for such vacancy shall
1011 appoint a successor to serve the remainder of the term of such
1012 trustee.

1013 (b) In case of a special municipal separate school
1014 district which embraces the entire county, the board of trustees
1015 may be constituted and selected in accordance with the terms and
1016 provisions of Sections 37-7-707 through 37-7-711, with the
1017 exception that one (1) member of such board shall be elected by
1018 each supervisors district and shall be a resident and qualified
1019 elector of the district from which he is elected.

1020 (c) In case of a special municipal separate school
1021 district embracing the entire county, the board of trustees may be
1022 constituted and selected in accordance with the terms and
1023 provisions of Section 37-7-713.

1024 **SECTION 24.** Sections 37-7-204, 37-7-209, 37-7-211, 37-7-215,
1025 37-7-217 and 37-7-219, Mississippi Code of 1972, which provide
1026 certain methods for electing trustees of municipal separate school
1027 districts from added territory, are repealed.



1028 **SECTION 25.** This act shall take effect and be in force from
1029 and after July 1, 2018.

