

By: Representatives Steverson, Carpenter, Aguirre, Anderson (122nd), Bain, Barton, Bell (21st), Brown (20th), Burnett, Calvert, Creekmore IV, Deweese, Evans (45th), Felsher, Ford (54th), Gibbs (36th), Hopkins, Horan, Kinkade, Ladner, Lamar, Lancaster, Mangold, Massengill, McGee, McKnight, Miles, Morgan, Oliver, Patterson, Pigott, Powell, Roberson, Rushing, Shanks, Smith, Thompson, Tullos, Wallace, Yancey

To: Apportionment and Elections

HOUSE BILL NO. 1330

1 AN ACT TO AMEND SECTION 23-15-299, MISSISSIPPI CODE OF 1972,
 2 TO REVISE THE QUALIFYING DEADLINE FROM MARCH 1 TO FEBRUARY 1 FOR
 3 GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, SECRETARY OF
 4 STATE, STATE TREASURER, AUDITOR OF PUBLIC ACCOUNTS, COMMISSIONER
 5 OF INSURANCE, COMMISSIONER OF AGRICULTURE AND COMMERCE, STATE
 6 HIGHWAY COMMISSIONER, STATE PUBLIC SERVICE COMMISSIONER, DISTRICT
 7 ATTORNEY, STATE SENATOR, STATE REPRESENTATIVE, SHERIFF, CHANCERY
 8 CLERK, CIRCUIT CLERK, TAX ASSESSOR, TAX COLLECTOR, COUNTY
 9 ATTORNEY, BOARD OF SUPERVISORS, COUNTY SURVEYOR, COUNTY CORONER,
 10 JUSTICE COURT JUDGE AND CONSTABLE; TO BRING FORWARD SECTIONS
 11 23-15-213, 23-15-309, 23-15-977 AND 37-5-9, MISSISSIPPI CODE OF
 12 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED
 13 PURPOSES.

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

15 **SECTION 1.** Section 23-15-299, Mississippi Code of 1972, is
 16 amended as follows:

17 23-15-299. (1) (a) Assessments made pursuant to paragraphs
 18 (a), (b) and (c) of Section 23-15-297 shall be paid by each
 19 candidate who seeks a nomination in the political party election
 20 to the secretary of the state executive committee with which the
 21 candidate is affiliated by 5:00 p.m. on * * * February 1 of the
 22 year in which the primary election for the office is held or on
 23 the date of the qualifying deadline provided by statute for the



24 office, whichever is earlier; however, no such assessments may be
25 paid before January 1 of the year in which the primary election
26 for the office is held. If * * * February 1 or the date of the
27 qualifying deadline provided by statute for the office occurs on a
28 Saturday, Sunday or legal holiday, then the assessments required
29 to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the
30 business day immediately following the Saturday, Sunday or legal
31 holiday.

32 (b) Assessments made pursuant to paragraphs (a), (b)
33 and (c) of Section 23-15-297 shall be paid by each independent
34 candidate or special election candidate to the Secretary of State
35 by 5:00 p.m. on * * * February 1 of the year in which the primary
36 election for the office is held or on the date of the qualifying
37 deadline provided by statute for the office, whichever is earlier;
38 however, no such assessments may be paid before January 1 of the
39 year in which the primary election for the office is held.

40 If * * * February 1 or the date of the qualifying deadline
41 provided by statute for the office occurs on a Saturday, Sunday or
42 legal holiday, then the assessments required to be paid by this
43 paragraph (b) shall be paid by 5:00 p.m. on the business day
44 immediately following the Saturday, Sunday or legal holiday.

45 (2) (a) Assessments made pursuant to paragraphs (d) and (e)
46 of Section 23-15-297, shall be paid by each candidate who seeks a
47 nomination in the political party election to the circuit clerk of
48 that candidate's county of residence by 5:00 p.m. on * * *



49 February 1 of the year in which the primary election for the
50 office is held or on the date of the qualifying deadline provided
51 by statute for the office, whichever is earlier; however, no such
52 assessments may be paid before January 1 of the year in which the
53 election for the office is held. If * * * February 1 or the date
54 of the qualifying deadline provided by statute for the office
55 occurs on a Saturday, Sunday or legal holiday, then the
56 assessments required to be paid by this paragraph (a) shall be
57 paid by 5:00 p.m. on the business day immediately following the
58 Saturday, Sunday or legal holiday. The circuit clerk shall
59 forward the fee and all necessary information to the secretary of
60 the proper county executive committee within two (2) business
61 days. No candidate may attempt to qualify with any political
62 party that does not have a duly organized county executive
63 committee, and the circuit clerk shall not accept any assessments
64 paid for nonlegislative offices pursuant to paragraphs (d) and (e)
65 of Section 23-15-297 if the circuit clerk does not have contact
66 information for the secretary of the county executive committee
67 for that political party.

68 (b) Assessments made pursuant to paragraphs (d) and (e)
69 of Section 23-15-297 shall be paid by each independent candidate
70 or special election candidate to the circuit clerk of that
71 candidate's county of residence by 5:00 p.m. on * * * February 1
72 of the year in which the primary election for the office is held
73 or on the date of the qualifying deadline provided by statute for



74 the office, whichever is earlier; however, no such assessments may
75 be paid before January 1 of the year in which the primary election
76 for the office is held. If * * * February 1 or the date of the
77 qualifying deadline provided by statute for the office occurs on a
78 Saturday, Sunday or legal holiday, then the assessments required
79 to be paid by this paragraph (b) shall be paid by 5:00 p.m. on the
80 business day immediately following the Saturday, Sunday or legal
81 holiday. The circuit clerk shall forward the fee and all
82 necessary information to the secretary of the proper county
83 election commission within two (2) business days.

84 (3) (a) Assessments made pursuant to paragraphs (f) and (g)
85 of Section 23-15-297 must be paid by each candidate who seeks a
86 nomination in the political party election to the secretary of the
87 state executive committee with which the candidate is affiliated
88 by 5:00 p.m. sixty (60) days before the presidential preference
89 primary in years in which a presidential preference primary is
90 held; however, no such assessments may be paid before January 1 of
91 the year in which the primary election for the office is held.
92 Assessments made pursuant to paragraphs (f) and (g) of Section
93 23-15-297, in years when a presidential preference primary is not
94 being held, shall be paid by each candidate who seeks a nomination
95 in the political party election to the secretary of the state
96 executive committee with which the candidate is affiliated by 5:00
97 p.m. on March 1 of the year in which the primary election for the
98 office is held; however, no such assessments may be paid before



99 January 1 of the year in which the primary election for the office
100 is held. If sixty (60) days before the presidential preference
101 primary in years in which a presidential preference primary is
102 held, March 1, or the date of the qualifying deadline provided by
103 statute for the office occurs on a Saturday, Sunday or legal
104 holiday, then the assessments required to be paid by this
105 paragraph (a) shall be paid by 5:00 p.m. on the business day
106 immediately following the Saturday, Sunday or legal holiday.

107 (b) Assessments made pursuant to paragraphs (f) and (g)
108 of Section 23-15-297 must be paid by each independent candidate or
109 special election candidate to the Secretary of State by 5:00 p.m.
110 sixty (60) days before the presidential preference primary in
111 years in which a presidential preference primary is held; however,
112 no such assessments may be paid before January 1 of the year in
113 which the primary election for the office is held. Assessments
114 made pursuant to paragraphs (f) and (g) of Section 23-15-297, in
115 years when a presidential preference primary is not being held,
116 shall be paid by each independent candidate or special election
117 candidate to the Secretary of State by 5:00 p.m. on March 1 of the
118 year in which the primary election for the office is held;
119 however, no such assessments may be paid before January 1 of the
120 year in which the primary election for the office is held. If
121 sixty (60) days before the presidential preference primary in
122 years in which a presidential preference primary is held, March 1,
123 or the date of the qualifying deadline provided by statute for the



124 office occurs on a Saturday, Sunday or legal holiday, then the
125 assessments required to be paid by this paragraph (b) shall be
126 paid by 5:00 p.m. on the business day immediately following the
127 Saturday, Sunday or legal holiday.

128 (4) (a) The fees paid pursuant to subsections (1), (2) and
129 (3) of this section shall be accompanied by a written statement
130 containing the name and address of the candidate, the party with
131 which he or she is affiliated, if applicable, the email address of
132 the candidate, if any, and the office for which he or she is a
133 candidate.

134 (b) The state executive committee shall transmit to the
135 Secretary of State a copy of the written statements accompanying
136 the fees paid pursuant to subsections (1) and (2) of this section.
137 All copies must be received by the Office of the Secretary of
138 State by not later than 6:00 p.m. on the date of the qualifying
139 deadline; provided, however, the failure of the Office of the
140 Secretary of State to receive such copies by 6:00 p.m. on the date
141 of the qualifying deadline shall not affect the qualification of a
142 person who pays the required fee and files the required statement
143 by 5:00 p.m. on the date of the qualifying deadline. The name of
144 any person who pays the required fee and files the required
145 statement after 5:00 p.m. on the date of the qualifying deadline
146 shall not be placed on the primary election ballot or the general
147 election ballot.



148 (5) The Secretary of State or the secretary or circuit clerk
149 to whom such payments are made shall promptly receipt for same
150 stating the office for which the candidate making payment is
151 running and the political party with which he or she is
152 affiliated, if applicable, and he or she shall keep an itemized
153 account in detail showing the exact time and date of the receipt
154 of each payment received by him or her and, where applicable, the
155 date of the postmark on the envelope containing the fee and from
156 whom, and for what office the party paying same is a candidate.

157 (6) The secretaries of the proper executive committee shall
158 hold the funds to be finally disposed of by order of their
159 respective executive committees. The funds may be used or
160 disbursed by the executive committee receiving same to pay all
161 necessary traveling or other necessary expenses of the members of
162 the executive committee incurred in discharging their duties as
163 committee members, and of their secretary and may pay the
164 secretary such salary as may be reasonable. The Secretary of
165 State shall deposit any qualifying fees received from candidates
166 into the Elections Support Fund established in Section 23-15-5.

167 (7) (a) Upon receipt of the proper fee and all necessary
168 information, the proper executive committee or the Secretary of
169 State, whichever is applicable, shall then determine at the time
170 of the qualifying deadline, unless otherwise provided by law,
171 whether each candidate is a qualified elector of the state, state
172 district, county or county district which they seek to serve, and



173 whether each candidate meets all other qualifications to hold the
174 office he or she is seeking or presents absolute proof that he or
175 she will, subject to no contingencies, meet all qualifications on
176 or before the date of the general or special election at which he
177 or she could be elected to office. The proper executive committee
178 or the Secretary of State, whichever is applicable, shall
179 determine whether the candidate has taken the steps necessary to
180 qualify for more than one (1) office at the election. The
181 committee or the Secretary of State, whichever is applicable,
182 shall also determine whether any candidate has been convicted (i)
183 of any felony in a court of this state, (ii) on or after December
184 8, 1992, of any offense in another state which is a felony under
185 the laws of this state, (iii) of any felony in a federal court on
186 or after December 8, 1992, or (iv) of any offense that involved
187 the misuse or abuse of his or her office or money coming into his
188 or her hands by virtue of the office. Excepted from the above are
189 convictions of manslaughter and violations of the United States
190 Internal Revenue Code or any violations of the tax laws of this
191 state.

192 (b) If the proper executive committee or the Secretary
193 of State, whichever is applicable, finds that a candidate either
194 (i) is not a qualified elector, (ii) does not meet all
195 qualifications to hold the office he or she seeks and fails to
196 provide absolute proof, subject to no contingencies, that he or
197 she will meet the qualifications on or before the date of the



198 general or special election at which he or she could be elected,
199 or (iii) has been convicted of a felony or other disqualifying
200 offense as described in paragraph (a) of this subsection, and not
201 pardoned, then the executive committee shall notify the candidate
202 and give the candidate an opportunity to be heard. The executive
203 committee shall mail notice to the candidate at least three (3)
204 business days before the hearing to the address provided by the
205 candidate on the qualifying forms, and the committee shall attempt
206 to contact the candidate by telephone, email and facsimile if the
207 candidate provided this information on the forms. If the
208 candidate fails to appear at the hearing or to prove that he or
209 she meets all qualifications to hold the office subject to no
210 contingencies, then the name of that candidate shall not be placed
211 upon the ballot.

212 (c) If the proper executive committee or the Secretary
213 of State, whichever is applicable, determines that the candidate
214 has taken the steps necessary to qualify for more than one (1)
215 office at the election, the action required by Section 23-15-905,
216 shall be taken.

217 (d) Where there is but one (1) candidate for each
218 office contested at the primary election, the proper executive
219 committee or the Secretary of State, whichever is applicable, when
220 the time has expired within which the names of candidates shall be
221 furnished shall declare such candidates the nominees.



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

224 **SECTION 2.** Section 23-15-213, Mississippi Code of 1972, is
225 brought forward as follows:

226 **[Until December 31, 2022, this section shall read as**
227 **follows:]**

228 23-15-213. (1) At the general election in 2020, there shall
229 be elected five (5) election commissioners for each county whose
230 terms of office shall commence on the first Monday of January
231 following their election. Each of the commissioners shall be
232 required to attend a training seminar provided by the Secretary of
233 State and satisfactorily complete a skills assessment, and before
234 acting, shall take and subscribe the oath of office prescribed by
235 the Constitution. The oath shall be filed in the office of the
236 clerk of the chancery court. Upon filing the oath of office, the
237 election commissioner may be provided access to the Statewide
238 Elections Management System for the purpose of performing his or
239 her duties. While engaged in their duties, the commissioners
240 shall be conservators of the peace in the county, with all the
241 duties and powers of such.

242 (2) The qualified electors of each supervisors district
243 shall elect, at the general election in 2020, in their district
244 one (1) election commissioner. The election commissioners from
245 board of supervisors' Districts One, Three and Five shall serve
246 for a term of four (4) years. The election commissioners from



247 board of supervisors' Districts Two and Four shall serve for a
248 term of three (3) years. No more than one (1) commissioner shall
249 be a resident of and reside in each supervisors district of the
250 county; it being the purpose of this section that the county board
251 of election commissioners shall consist of one (1) person from
252 each supervisors district of the county and that each commissioner
253 be elected from the supervisors district in which he or she
254 resides.

255 (3) Candidates for county election commissioner shall
256 qualify by filing with the clerk of the board of supervisors of
257 their respective counties a petition personally signed by not less
258 than fifty (50) qualified electors of the supervisors district in
259 which they reside, requesting that they be a candidate, by 5:00
260 p.m. not later than the first Monday in June of the year in which
261 the election occurs and unless the petition is filed within the
262 required time, their names shall not be placed upon the ballot.
263 All candidates shall declare in writing their party affiliation,
264 if any, to the board of supervisors, and such party affiliation
265 shall be shown on the official ballot.

266 (4) The petition shall have attached thereto a certificate
267 of the county registrar showing the number of qualified electors
268 on each petition, which shall be furnished by the registrar on
269 request. The board shall determine the sufficiency of the
270 petition, and if the petition contains the required number of
271 signatures and is filed within the time required, the president of



272 the board shall verify that the candidate is a resident of the
273 supervisors district in which he or she seeks election and that
274 the candidate is otherwise qualified as provided by law, and shall
275 certify that the candidate is qualified to the chair or secretary
276 of the county election commission and the names of the candidates
277 shall be placed upon the ballot for the ensuing election. No
278 county election commissioner shall serve or be considered as
279 elected until he or she has received a majority of the votes cast
280 for the position or post for which he or she is a candidate. If a
281 majority vote is not received in the first election, then the two
282 (2) candidates receiving the most votes for each position or post
283 shall be placed upon the ballot for a second election to be held
284 three (3) weeks later in accordance with appropriate procedures
285 followed in other elections involving runoff candidates.

286 (5) Upon taking office, the county election commissioners
287 shall organize by electing a chair and a secretary.

288 (6) It shall be the duty of the chair to have the official
289 ballot printed and distributed at each general or special
290 election.

291 **[From and after January 1, 2023, this section shall read as**
292 **follows:]**

293 23-15-213. (1) There shall be elected five (5) election
294 commissioners for each county whose terms of office shall commence
295 on the first Monday of January following their election and who
296 shall serve for a term of four (4) years. Each of the



297 commissioners shall be required to attend a training seminar
298 provided by the Secretary of State and satisfactorily complete a
299 skills assessment, and before acting, shall take and subscribe the
300 oath of office prescribed by the Constitution. The oath shall be
301 filed in the office of the clerk of the chancery court. Upon
302 filing the oath of office, the election commissioner may be
303 provided access to the Statewide Elections Management System for
304 the purpose of performing his or her duties. While engaged in
305 their duties, the commissioners shall be conservators of the peace
306 in the county, with all the duties and powers of such.

307 (2) (a) At the general election in 2024 and every four (4)
308 years thereafter, the qualified electors of the board of
309 supervisors' Districts One, Three and Five shall elect in their
310 district one (1) election commissioner.

311 (b) At the general election in 2023 and every four (4)
312 years thereafter, the qualified electors of the board of
313 supervisors' Districts Two and Four shall elect in their district
314 one (1) election commissioner.

315 (c) No more than one (1) commissioner shall be a
316 resident of and reside in each supervisors district of the county;
317 it being the purpose of this section that the county board of
318 election commissioners shall consist of one (1) person from each
319 supervisors district of the county and that each commissioner be
320 elected from the supervisors district in which he or she resides.



321 (3) Candidates for county election commissioner shall
322 qualify by filing with the clerk of the board of supervisors of
323 their respective counties a petition personally signed by not less
324 than fifty (50) qualified electors of the supervisors district in
325 which they reside, requesting that they be a candidate, by 5:00
326 p.m. not later than the first Monday in June of the year in which
327 the election occurs and unless the petition is filed within the
328 required time, their names shall not be placed upon the ballot.
329 All candidates shall declare in writing their party affiliation,
330 if any, to the board of supervisors, and such party affiliation
331 shall be shown on the official ballot.

332 (4) The petition shall have attached thereto a certificate
333 of the county registrar showing the number of qualified electors
334 on each petition, which shall be furnished by the registrar on
335 request. The board shall determine the sufficiency of the
336 petition, and if the petition contains the required number of
337 signatures and is filed within the time required, the president of
338 the board shall verify that the candidate is a resident of the
339 supervisors district in which he or she seeks election and that
340 the candidate is otherwise qualified as provided by law, and shall
341 certify that the candidate is qualified to the chair or secretary
342 of the county election commission and the names of the candidates
343 shall be placed upon the ballot for the ensuing election. No
344 county election commissioner shall serve or be considered as
345 elected until he or she has received a majority of the votes cast



346 for the position or post for which he or she is a candidate. If a
347 majority vote is not received in the first election, then the two
348 (2) candidates receiving the most votes for each position or post
349 shall be placed upon the ballot for a second election to be held
350 three (3) weeks later in accordance with appropriate procedures
351 followed in other elections involving runoff candidates.

352 (5) In the first meeting in January of each year, the county
353 election commissioners shall organize by electing a chair and a
354 secretary, who shall serve a one (1) year term. The county
355 election commissioners shall provide the names of the chair and
356 secretary to the Secretary of State and provide notice of any
357 change in officers which may occur during the year.

358 (6) It shall be the duty of the chair to have the official
359 ballot printed and distributed at each general or special
360 election.

361 **SECTION 3.** Section 23-15-309, Mississippi Code of 1972, is
362 brought forward as follows:

363 23-15-309. (1) Nominations for all municipal officers which
364 are elective shall be made at a primary election, or elections, to
365 be held in the manner prescribed by law. All persons desiring to
366 be candidates for the nomination in the primary elections shall
367 first pay Ten Dollars (\$10.00) to the clerk of the municipality,
368 at least sixty (60) days before the first primary election, no
369 later than 5:00 p.m. on such deadline day. If the sixtieth day to
370 file the fee and written statement before an election falls on a



371 Sunday or legal holiday, the fees and written statements submitted
372 on the business day immediately following the Sunday or legal
373 holiday shall be accepted.

374 (2) The fee paid pursuant to subsection (1) of this section
375 shall be accompanied by a written statement containing the name
376 and address of the candidate, the party with which he or she is
377 affiliated, the email address of the candidate, if any, and the
378 office for which he or she is a candidate.

379 (3) The clerk shall promptly receipt the payment, stating
380 the office for which the person making the payment is running and
381 the political party with which such person is affiliated. The
382 clerk shall keep an itemized account in detail showing the time
383 and date of the receipt of such payment received by him or her,
384 from whom such payment was received, the party with which such
385 person is affiliated and for what office the person paying the fee
386 is a candidate. No candidate may attempt to qualify with any
387 political party that does not have a duly organized municipal
388 executive committee, and the municipal clerk shall not accept any
389 assessments made pursuant to subsection (1) if the municipal clerk
390 does not have contact information for the secretary of the
391 municipal executive committee for that political party. The clerk
392 shall promptly supply all necessary information and pay over all
393 fees so received to the secretary of the proper municipal
394 executive committee. The funds may be used and disbursed in the



395 same manner as is allowed in Section 23-15-299 in regard to other
396 executive committees.

397 (4) Upon receipt of the above information, the proper
398 municipal executive committee shall then determine, at the time of
399 the qualifying deadline, whether each candidate is a qualified
400 elector of the municipality, and of the ward if the office sought
401 is a ward office, shall determine whether each candidate either
402 meets all other qualifications to hold the office he or she is
403 seeking or presents absolute proof that he or she will, subject to
404 no contingencies, meet all qualifications on or before the date of
405 the general or special election at which he or she could be
406 elected to office. The executive committee shall determine
407 whether the candidate has taken the steps necessary to qualify for
408 more than one (1) office at the election. The committee also
409 shall determine whether any candidate has been convicted of any
410 felony in a court of this state, or has been convicted on or after
411 December 8, 1992, of any offense in another state which is a
412 felony under the laws of this state, or has been convicted of any
413 felony in a federal court on or after December 8, 1992. Excepted
414 from the above are convictions of manslaughter and violations of
415 the United States Internal Revenue Code or any violations of the
416 tax laws of this state unless such offense also involved misuse or
417 abuse of his or her office or money coming into his or her hands
418 by virtue of the office. If the proper municipal executive
419 committee finds that a candidate either (a) does not meet all



420 qualifications to hold the office he or she seeks and fails to
421 provide absolute proof, subject to no contingencies, that he or
422 she will meet the qualifications on or before the date of the
423 general or special election at which he or she could be elected,
424 or (b) has been convicted of a felony as described in this
425 subsection and not pardoned, then the executive committee shall
426 notify the candidate and give the candidate an opportunity to be
427 heard. The executive committee shall mail notice to the candidate
428 at least three (3) business days before the hearing to the address
429 provided by the candidate on the qualifying forms, and the
430 committee shall attempt to contact the candidate by telephone,
431 email and facsimile if the candidate provided this information on
432 the forms. If the candidate fails to appear at the hearing or to
433 prove he or she meets all qualifications to hold the office
434 subject to no contingencies, then the name of such candidate shall
435 not be placed upon the ballot. If the executive committee
436 determines that the candidate has taken the steps necessary to
437 qualify for more than one (1) office at the election, the action
438 required by Section 23-15-905, shall be taken.

439 (5) Where there is but one (1) candidate, the proper
440 municipal executive committee when the time has expired within
441 which the names of candidates shall be furnished shall declare
442 such candidate the nominee.

443 **SECTION 4.** Section 23-15-977, Mississippi Code of 1972, is
444 brought forward as follows:



445 23-15-977. (1) Except as otherwise provided in this
446 section, all candidates for judicial office as defined in Section
447 23-15-975 of this subarticle shall file their intent to be a
448 candidate with the proper officials and pay the proper assessment
449 by not later than 5:00 p.m. on March 1 of the year in which the
450 general election for the judicial office is held. If March 1
451 occurs on a Saturday, Sunday or legal holiday, candidates shall
452 file their intent to be a candidate and pay the proper assessment
453 by 5:00 p.m. on the business day immediately following the
454 Saturday, Sunday or legal holiday. Candidates shall pay to the
455 proper officials the following amounts:

456 (a) Candidates for Supreme Court judge and Court of
457 Appeals, the sum of Two Hundred Dollars (\$200.00).

458 (b) Candidates for circuit judge and chancellor, the
459 sum of One Hundred Dollars (\$100.00).

460 (c) Candidates for county judge and family court judge,
461 the sum of Fifteen Dollars (\$15.00).

462 Candidates for judicial office may not file their intent to
463 be a candidate and pay the proper assessment before January 1 of
464 the year in which the election for the judicial office is held.

465 (2) Candidates for judicial offices listed in paragraphs (a)
466 and (b) of subsection (1) of this section shall file their intent
467 to be a candidate with, and pay the proper assessment made
468 pursuant to subsection (1) of this section to, the State Board of
469 Election Commissioners.



470 (3) Candidates for judicial offices listed in paragraph (c)
471 of subsection (1) of this section shall file their intent to be a
472 candidate with, and pay the proper assessment made pursuant to
473 subsection (1) of this section to, the circuit clerk of the proper
474 county. The circuit clerk shall notify the county election
475 commissioners of all persons who have filed their intent to be a
476 candidate with, and paid the proper assessment to, such clerk.
477 The notification shall occur within two (2) business days and
478 shall contain all necessary information.

479 (4) If only one (1) person files his or her intent to be a
480 candidate for a judicial office and that person later dies,
481 resigns or is otherwise disqualified from holding the judicial
482 office after the deadline provided for in subsection (1) of this
483 section but more than seventy (70) days before the date of the
484 general election, the Governor, upon notification of the death,
485 resignation or disqualification of the person, shall issue a
486 proclamation authorizing candidates to file their intent to be a
487 candidate for that judicial office for a period of not less than
488 seven (7) nor more than ten (10) days from the date of the
489 proclamation.

490 (5) If only one (1) person qualifies as a candidate for a
491 judicial office and that person later dies, resigns or is
492 otherwise disqualified from holding the judicial office within
493 seventy (70) days before the date of the general election, the



494 judicial office shall be considered vacant for the new term and
495 the vacancy shall be filled as provided in by law.

496 **SECTION 5.** Section 37-5-9, Mississippi Code of 1972, is
497 brought forward as follows:

498 37-5-9. The name of any qualified elector who is a candidate
499 for the county board of education shall be placed on the ballot
500 used in the general elections by the county election
501 commissioners, provided that the candidate files with the county
502 election commissioners, not more than ninety (90) days and not
503 less than sixty (60) days prior to the date of such general
504 election, a petition of nomination signed by not less than fifty
505 (50) qualified electors of the county residing within each
506 supervisors district. Where there are less than one hundred (100)
507 qualified electors in said supervisors district, it shall only be
508 required that said petition of nomination be signed by at least
509 twenty percent (20%) of the qualified electors of such supervisors
510 district. The candidate in each supervisors district who receives
511 the majority of votes cast in the district shall be declared
512 elected. If no candidate receives a majority of the votes cast at
513 the election, a runoff shall be held between the two (2)
514 candidates receiving the highest number of votes in the first
515 election. The runoff election, in the event that such is
516 necessary, shall be held three (3) weeks after the first election.

517 When any member of the county board of education is to be
518 elected from the county at large under the provisions of this



519 chapter, then the petition required by the preceding paragraph
520 hereof shall be signed by the required number of qualified
521 electors residing in any part of the county outside of the
522 territory embraced within a municipal separate school district or
523 special municipal separate school district. The candidate who
524 receives the majority of votes cast in the election shall be
525 declared elected. If no candidate receives a majority of the
526 votes cast at the election, a runoff shall be held between the two
527 (2) candidates receiving the highest number of votes in the first
528 election. The runoff election, in the event that such is
529 necessary, shall be held three (3) weeks after the first election.

530 In no case shall any qualified elector residing within a
531 municipal separate school district or special municipal separate
532 school district be eligible to sign a petition of nomination for
533 any candidate for the county board of education under any of the
534 provisions of this section.

535 **SECTION 6.** This act shall take effect and be in force from
536 and after July 1, 2020.

