

Senate Amendments to House Concurrent Resolution No. 47

TO THE CLERK OF THE HOUSE:

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

AMENDMENT NO. 1

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

14 That the following amendments to the Mississippi Constitution of
15 1890 are proposed to the qualified electors of the state:

16 I.

17 Amend Section 140, Mississippi Constitution of 1890, to read
18 as follows:

19 Section 140. The Governor of the state and all state elected
20 officials shall be * * * elected by the people in a general
21 election to be held on the first Tuesday after the first Monday of
22 November * * * 2023, and on the first Tuesday after the first
23 Monday of November in every fourth year thereafter * * *. The
24 person receiving * * * a majority of the number of votes
25 cast * * * in the election for * * * these offices * * * shall
26 be * * * declared elected. If no person receives a majority of
27 the votes, then a runoff election shall be held between the two
28 (2) persons who received the highest number of votes under
29 procedures prescribed by the Legislature in general law.

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II.

Amend the Mississippi Constitution of 1890 by repealing
Section 141, which reads as follows:

Section 141. If no person shall receive such majorities,
then the House of Representatives shall proceed to choose a
Governor from the two persons who shall have received the highest
number of popular votes. The election shall be by viva voce vote,
which shall be recorded in the journal, in such manner as to show
for whom each member voted.

III.

Amend the Mississippi Constitution of 1890 by repealing
Section 142, which reads as follows:

Section 142. In case of an election of Governor or any state
officer by the House of Representatives, no member of that house
shall be eligible to receive any appointment from the Governor or
other state officer so elected, during the term for which he shall
be elected.

IV.

Amend the Mississippi Constitution of 1890 by repealing
Section 143, which reads as follows:

Section 143. All other state officers shall be elected at
the same time, and in the same manner as provided for election of
Governor.

BE IT FURTHER RESOLVED, That these proposed amendments shall
be submitted by the Secretary of State to the qualified electors
at an election to be held on the first Tuesday after the first

57 Monday of November 2020, as provided by Section 273 of the
58 Constitution and by general law, with the proposed amendments in
59 this resolution being voted on as one amendment since they pertain
60 to one subject.

61 BE IT FURTHER RESOLVED, That the explanation of this proposed
62 amendment for the ballot shall read as follows: "This amendment
63 provides that to be elected Governor, or to any other statewide
64 office, a candidate receive a majority of the vote in the general
65 election. If no candidate receives a majority of the vote, then a
66 runoff election between the two candidates receiving the highest
67 number of votes shall be held as provided by general law. The
68 requirement of receiving the most votes in a majority of
69 Mississippi House of Representative's districts is removed."

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

1 A CONCURRENT RESOLUTION PROPOSING TO AMEND THE MISSISSIPPI
2 CONSTITUTION OF 1890 BY AMENDING SECTION 140 AND REPEALING
3 SECTIONS 141, 142 AND 143 TO PROVIDE THAT THE PERSON RECEIVING THE
4 MAJORITY OF VOTES FOR THE OFFICE OF GOVERNOR AND ALL STATE ELECTED
5 OFFICIALS AT THE GENERAL ELECTION SHALL BE DECLARED ELECTED; TO
6 PROVIDE THAT IF NO PERSON RECEIVES A MAJORITY OF THE VOTES, THEN A
7 RUNOFF ELECTION SHALL BE HELD BETWEEN THE TWO PERSONS RECEIVING
8 THE HIGHEST NUMBER OF VOTES AS PROVIDED BY GENERAL LAW; TO ABOLISH
9 THE REQUIREMENT THAT THE GOVERNOR AND ALL STATE ELECTED OFFICIALS
10 BE ELECTED BY VOTE OF THE HOUSE OF REPRESENTATIVES IF NO PERSON
11 RECEIVES BOTH A MAJORITY OF THE POPULAR VOTE AND A MAJORITY OF THE
12 ELECTORAL VOTES; AND FOR RELATED PURPOSES.

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Eugene S. Clarke
Secretary of the Senate