

By: Representative McCarty

To: Apportionment and
Elections

HOUSE BILL NO. 1174

1 AN ACT TO AMEND SECTION 23-15-851, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT IF A VACANCY OCCURS TWELVE MONTHS BEFORE THE
3 GENERAL ELECTION FOR STATE OFFICERS IS HELD, THE GOVERNOR SHALL
4 NOT ISSUE A WRIT OF ELECTION TO FILL THE VACANCY; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 23-15-851, Mississippi Code of 1972, is
8 amended as follows:

9 23-15-851. (1) Except as otherwise provided in subsection
10 (2) of this section, within thirty (30) days after vacancies occur
11 in either house of the Legislature, the Governor shall issue writs
12 of election to fill the vacancies on a day specified in the writ
13 of election. At least sixty (60) days' notice shall be given of
14 the election in each county or part of a county in which the
15 election shall be held. The qualifying deadline for the election
16 shall be fifty (50) days before the election. Notice of the
17 election shall be posted at the courthouse and in each supervisors
18 district in the county or part of county in which such election
19 shall be held for as near sixty (60) days as may be practicable.



20 The election shall be prepared for and held as in the case of a
21 general election.

22 (2) If a vacancy occurs * * * twelve (12) months before the
23 general election for state officers is held, the Governor * * *
24 shall not * * * issue a writ of election to fill the vacancy.

25 **SECTION 2.** This act shall take effect and be in force from
26 and after July 1, 2022.

