

By: Senator(s) Blackwell

To: Elections;
Accountability, Efficiency,
Transparency

SENATE BILL NO. 2592

1 AN ACT TO AMEND SECTION 23-15-851, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE WHAT OCCURRENCES CONSTITUTE A VACANCY IN EITHER HOUSE
3 OF THE LEGISLATURE; AND FOR RELATED PURPOSES.

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

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

7 23-15-851. (1) A vacancy shall occur in either house of the
8 Legislature on the happening of any of the following events:

9 (a) The death of a member;

10 (b) The resignation of a member. A vacancy caused by
11 resignation shall be deemed to occur upon the effective date of
12 the resignation;

13 (c) Impeachment of a member;

14 (d) The member ceasing to be a legally registered voter
15 of the district from which he or she shall have been elected;

16 (e) The member failing to maintain a residence in the
17 district from which he or she shall have been elected with the
18 intent to not reside in the district;



19 (f) His or her conviction of a felony, or of any
20 offense involving a violation of his or her official oath;

21 (g) The member's refusal or neglect to take his or her
22 oath of office; or

23 (h) The entry of a decision of a competent tribunal
24 declaring void the member's election.

25 (* * *2) Except as otherwise provided in subsection (2) of
26 this section, within thirty (30) days after vacancies occur in
27 either house of the Legislature, the Governor shall issue writs of
28 election to fill the vacancies on a day specified in the writ of
29 election. At least sixty (60) days' notice shall be given of the
30 election in each county or part of a county in which the election
31 shall be held. The qualifying deadline for the election shall be
32 fifty (50) days before the election. Notice of the election shall
33 be posted at the courthouse and in each supervisors district in
34 the county or part of county in which such election shall be held
35 for as near sixty (60) days as may be practicable. The election
36 shall be prepared for and held as in the case of a general
37 election.

38 (* * *3) If a vacancy occurs in a calendar year in which
39 the general election for state officers is held, the Governor may
40 elect not to issue a writ of election to fill the vacancy.

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

