

By: Representative Eubanks

To: Apportionment and
Elections; Judiciary A

HOUSE BILL NO. 1249

1 -* AN ACT TO PROVIDE THAT RANKED-CHOICE VOTING MAY NOT BE USED
2 TO ELECT OR NOMINATE ANY CANDIDATE TO ANY LOCAL, STATE OR FEDERAL
3 ELECTED OFFICE IN THIS STATE; TO PROVIDE THAT ANY ELECTION USING
4 RANKED-CHOICE VOTING IS INVALID; TO PROVIDE THE DEFINITION OF
5 "RANKED-CHOICE" VOTING; TO PROVIDE THAT THE ATTORNEY GENERAL MAY
6 BRING A CIVIL ACTION IN AN APPROPRIATE COURT FOR SUCH DECLARATORY
7 OR INJUNCTIVE RELIEF AS IS NECESSARY TO CARRY OUT THIS
8 PROHIBITION; TO PROVIDE THAT A PERSON WHO IS AGGRIEVED BY A
9 VIOLATION OF THIS CHAPTER MAY BRING A CIVIL ACTION IN AN
10 APPROPRIATE COURT FOR DECLARATORY OR INJUNCTIVE RELIEF WITH
11 RESPECT TO THE VIOLATION; TO PROVIDE CERTAIN EXEMPTIONS; AND FOR
12 RELATED PURPOSES.

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

14 **SECTION 1.** (1) Ranked-choice voting may not be used to
15 elect or nominate any candidate to any local, state or federal
16 elected office in this state.

17 (2) Any existing or future ordinance enacted or adopted by a
18 county, a municipality or any other local governmental entity
19 which is in conflict with this section is void.

20 (3) Any election using ranked-choice voting is invalid. No
21 official may be sworn into office on the basis of such election.

22 (4) For the purposes of this section, "ranked-choice" voting
23 is defined as a method for casting and tabulating votes in which



24 voters rank candidates for an office in order of preference, with
25 tabulation proceeding in multiple rounds following the elimination
26 of one or more candidates until either a single candidate receives
27 a majority of votes cast or the number of candidates elected
28 equals the number of offices to be filled, as applicable.

29 (5) (a) The Attorney General may bring a civil action in an
30 appropriate court for such declaratory or injunctive relief as is
31 necessary to carry out this section.

32 (b) A person who is aggrieved by a violation of this
33 chapter may bring a civil action in an appropriate court for
34 declaratory or injunctive relief with respect to the violation.

35 (c) For purposes of this section, "aggrieved persons"
36 include, but are not limited to, candidates running for election
37 under a ranked-choice election and their campaign committees, a
38 voter who is expected to vote under a ranked-choice election and
39 election officials who are expected to administer a ranked-choice
40 election.

41 (d) In a civil action under this section, the court may
42 allow the prevailing party reasonable attorney's fees, including
43 litigation expenses, and costs.

44 (6) The prohibitions of this section do not apply to the
45 internal processes of political parties such as conventions, the
46 election of political party officers or other nonpublic decision
47 making procedures by political parties.



48 **SECTION 2.** This act shall take effect and be in force from
49 and after its passage.

