

By: Representative Hurst

To: Apportionment and  
Elections

HOUSE BILL NO. 1426

1 AN ACT TO AMEND SECTION 23-15-333, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT IF ONLY ONE PERSON HAS DULY QUALIFIED TO BE A  
3 CANDIDATE FOR OFFICE IN A PRIMARY ELECTION, THE COUNTY EXECUTIVE  
4 COMMITTEE SHALL NOT PLACE THE NAME OF THAT PERSON ON THE BALLOT;  
5 AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 23-15-333, Mississippi Code of 1972, is  
8 amended as follows:

9 23-15-333. (1) The county executive committee shall have  
10 printed all necessary ballots, for use in primary elections. The  
11 county executive committee shall have printed all necessary  
12 absentee ballots forty-five (45) days before the election as  
13 required by law. The ballots shall contain the names of all the  
14 candidates to be voted for at the election, and there shall be  
15 left on each ballot one (1) blank space under the title of each  
16 office for which a nominee is to be elected; and in the event of  
17 the death of any candidate whose name shall have been printed on  
18 the ballot, the name of the candidate duly substituted in the  
19 place of the deceased candidate may be written in such blank space



20 by the voter. Except as otherwise provided in subsection (2) of  
21 this section, the order in which the titles to the various offices  
22 shall be printed, and the size, print and quality of the paper of  
23 the ballot is left to the discretion of the county executive  
24 committee. Provided, however, that in all cases the arrangement  
25 of the names of the candidates for each office shall be  
26 alphabetical. No ballot shall be used except those so printed.

27 (2) The titles for the various offices shall be listed in  
28 the following order:

29 (a) Candidates, electors or delegates for the following  
30 national offices:

31 (i) President of the United States of America;  
32 (ii) United States Senator or United States  
33 Representative;

34 (b) Candidates for the following statewide offices:  
35 Governor, Lieutenant Governor, Secretary of State, Attorney  
36 General, State Treasurer, Auditor of Public Accounts, Commissioner  
37 of Agriculture and Commerce, Commissioner of Insurance;

38 (c) Candidates for the following state district  
39 offices: Mississippi Transportation Commissioner, Public Service  
40 Commissioner, District Attorney;

41 (d) Candidates for the following legislative offices:  
42 Senator and House of Representatives;

43 (e) Candidates for countywide office;

44 (f) Candidates for county district office.



45           The order in which the titles for the various offices are  
46 listed within each of the categories listed in paragraphs (e) and  
47 (f) are left to the discretion of the county executive committee.  
48 Candidates' names shall be listed alphabetically under each office  
49 by the candidate's last name.

50           (3) If after the deadline to qualify as a candidate for an  
51 office, only one (1) person has duly qualified to be a candidate  
52 for the office in the primary election, the name of that person  
53 shall not be placed on the ballot \* \* \*. If not more than one (1)  
54 person has duly qualified to be a candidate for each office on the  
55 primary election ballot, the election for all offices on the  
56 ballot shall be dispensed with and the appropriate executive  
57 committee shall declare each candidate as the party nominee if the  
58 candidate meets all the qualifications to hold the office.

59           (4) (a) If it is eligible under Section 23-15-266, the  
60 county executive committee may enter into a written agreement with  
61 the circuit clerk or the county election commission authorizing  
62 the circuit clerk or the county election commission to perform any  
63 of the duties required of the county executive committee pursuant  
64 to this section. Any agreement entered into pursuant to this  
65 subsection shall be signed by the chair of the county executive  
66 committee and the circuit clerk or the chair of the county  
67 election commission, as appropriate. The county executive  
68 committee shall notify the state executive committee and the  
69 Secretary of State of the existence of such agreement.



70                   (b) If it is eligible under Section 23-15-266, the  
71 municipal executive committee may enter into a written agreement  
72 with the municipal clerk or the municipal election commission  
73 authorizing the municipal clerk or the municipal election  
74 commission to perform any of the duties required of the municipal  
75 executive committee pursuant to this section. Any agreement  
76 entered into pursuant to this subsection shall be signed by the  
77 chair of the municipal executive committee and the municipal clerk  
78 or the chair of the municipal election commission, as appropriate.  
79 The municipal executive committee shall notify the state executive  
80 committee and the Secretary of State of the existence of such  
81 agreement.

82                   **SECTION 2.** This act shall take effect and be in force from  
83 and after July 1, 2024.

