

By: Representative McCray

To: Constitution

HOUSE BILL NO. 1501

1 AN ACT TO AMEND SECTION 23-17-17, MISSISSIPPI CODE OF 1972,
 2 TO REMOVE THE REQUIREMENT THAT A PETITION FOR AN INITIATIVE
 3 MEASURE BE PRINTED ON A SHEET OF PAPER NOT LESS THAN EIGHT AND
 4 ONE-HALF INCHES IN WIDTH AND NOT LESS THAN FOURTEEN INCHES IN
 5 LENGTH; TO AMEND SECTION 23-17-19, MISSISSIPPI CODE OF 1972, TO
 6 REQUIRE THE SECRETARY OF STATE TO PROVIDE THE FORM FOR THE
 7 PETITION FOR AN INITIATIVE MEASURE ON THE SECRETARY OF STATE'S
 8 WEBSITE; TO AMEND SECTION 23-17-21, MISSISSIPPI CODE OF 1972, TO
 9 REQUIRE THE CIRCUIT CLERKS OF THE VARIOUS COUNTIES TO SUBMIT THE
 10 PETITION, ALONG WITH THE SIGNATURES THAT HAVE BEEN CERTIFIED, TO
 11 THE SECRETARY OF STATE FOR FILING WHEN THE PERSON PROPOSING AN
 12 INITIATIVE MEASURE HAS SECURED UPON THE PETITION THE NUMBER OF
 13 SIGNATURES OF QUALIFIED ELECTORS EQUAL TO OR EXCEEDING THE MINIMUM
 14 NUMBER OF SIGNATURES REQUIRED; TO BRING FORWARD SECTION 23-17-23,
 15 MISSISSIPPI CODE OF 1972, FOR PURPOSE OF POSSIBLE AMENDMENT; AND
 16 FOR RELATED PURPOSES.

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

18 **SECTION 1.** Section 23-17-17, Mississippi Code of 1972, is
 19 amended as follows:

20 23-17-17. (1) The person proposing an initiative measure
 21 shall print blank petitions upon single sheets of paper of good
 22 writing quality * * *. Each sheet shall have a full, true and
 23 correct copy of the proposed measure referred to therein printed
 24 on the reverse side of the petition or attached thereto.



25 (2) Only a person who is a qualified elector of this state
26 may circulate a petition or obtain signatures on a petition.

27 **SECTION 2.** Section 23-17-19, Mississippi Code of 1972, is
28 amended as follows:

29 23-17-19. The Secretary of State shall design the form each
30 sheet of which shall contain the following:

31 **"WARNING**

32 **EVERY PERSON WHO SIGNS THIS PETITION WITH ANY OTHER THAN HIS**
33 **OR HER TRUE NAME, KNOWINGLY SIGNS MORE THAN ONE OF THESE PETITIONS**
34 **RELATING TO THE SAME INITIATIVE MEASURE, SIGNS THIS PETITION WHEN**
35 **HE OR SHE IS NOT A QUALIFIED ELECTOR OR MAKES ANY FALSE STATEMENT**
36 **ON THIS PETITION MAY BE PUNISHED BY FINE, IMPRISONMENT, OR BOTH.**

37 **PETITION FOR INITIATIVE MEASURE**

38 To the Honorable _____, Secretary of State of
39 the State of Mississippi:

40 We, the undersigned citizens and qualified electors of the
41 State of Mississippi, respectfully direct that this petition and
42 the proposed measure known as Initiative Measure No. _____,
43 entitled (here insert the established ballot title of the
44 measure), a full, true and correct copy of which is printed or
45 attached on the reverse side of this petition, be transmitted to
46 the Legislature of the State of Mississippi at its next ensuing
47 regular session, and we respectfully petition the Legislature to
48 adopt the proposed measure; and each of us for himself or herself
49 says: I have personally signed this petition, I am a qualified



50 elector of the State of Mississippi in the city (or town), county
51 and congressional district written after my name, my residence
52 address is correctly stated and I have knowingly signed this
53 petition only once."

54 Each sheet shall also provide adequate space for the
55 following information: petitioner's signature; print name for
56 positive identification; residence address, street and number, if
57 any; city or town; county; precinct; and congressional district.

58 The Secretary of State shall provide the form for the
59 petition for an initiative measure on the Secretary of State's
60 website.

61 **SECTION 3.** Section 23-17-21, Mississippi Code of 1972, is
62 amended as follows:

63 23-17-21. Before a person may file a petition with the
64 Secretary of State, the petition must be certified by the circuit
65 clerk of each county in which the petition was circulated. The
66 circuit clerk shall certify the signatures of qualified electors
67 of that county and shall state the total number of qualified
68 electors signing the petition in that county. The circuit clerk
69 shall verify the name of each qualified elector signing on each
70 petition. A circuit clerk may not receive any fee, salary or
71 compensation from any private person or private legal entity for
72 the clerk's duties in certifying an initiative petition. When the
73 person proposing any initiative measure has secured upon the
74 petition a number of signatures of qualified electors equal to or



75 exceeding the minimum number required by Section 273(3) of the
76 Mississippi Constitution of 1890 for the proposed measure, and
77 such signatures have been certified by the circuit clerks of the
78 various counties, * * * the circuit clerks of the various counties
79 shall submit the petition, along with the signatures that have
80 been certified, to the Secretary of State for filing. The
81 Secretary of State shall collect a fee of Five Hundred Dollars
82 (\$500.00) from the person filing the petition to pay part of the
83 administrative and publication costs.

84 **SECTION 4.** Section 23-17-23, Mississippi Code of 1972, is
85 brought forward as follows:

86 23-17-23. The Secretary of State shall refuse to file any
87 initiative petition being submitted upon any of the following
88 grounds:

89 (a) That the petition is not in the form required by
90 Section 23-17-19;

91 (b) That the petition clearly bears insufficient
92 signatures;

93 (c) That one or more signatures appearing on the
94 petition were obtained in violation of Section 23-17-17(2),
95 Section 23-17-57(2) or Section 23-17-57(3);

96 (d) That the time within which the petition may be
97 filed has expired; or

98 (e) That the petition is not accompanied by the filing
99 fee provided for in Section 23-17-21.



100 In case of such refusal, the Secretary of State shall endorse
101 on the petition the word "submitted" and the date, and retain the
102 petition pending appeal.

103 If none of the grounds for refusal exists, the Secretary of
104 State shall accept and file the petition.

105 **SECTION 5.** This act shall take effect and be in force from
106 and after July 1, 2024.

