

By: Senator(s) Seymour

To: Accountability,  
Efficiency, Transparency

SENATE CONCURRENT RESOLUTION NO. 517

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION  
2 273, MISSISSIPPI CONSTITUTION OF 1890, TO REINSTATE THE INITIATIVE  
3 PROCEDURE DECLARED INVALID BY THE MISSISSIPPI SUPREME COURT; TO  
4 PROVIDE THAT THE INITIATIVE PROCESS MAY BE USED TO AMEND THE  
5 MISSISSIPPI STATUTES OR TO AMEND THE MISSISSIPPI CONSTITUTION; TO  
6 BASE THE NUMBER OF SIGNATURES REQUIRED FOR AN INITIATIVE PETITION  
7 ON THE NUMBER OF REGISTERED VOTERS; TO CONFORM THE PRO RATA  
8 SIGNATURE REQUIREMENTS FROM EACH CONGRESSIONAL DISTRICT FOR AN  
9 INITIATIVE PETITION TO THE NUMBER OF CURRENT CONGRESSIONAL  
10 DISTRICTS; TO SPECIFY THAT PETITION SIGNATURE REQUIREMENTS SHALL  
11 INCLUDE HOME ADDRESS; AND TO PROVIDE THAT ONLY ONE PROPOSAL OF LAW  
12 AND MATTERS PROPERLY CONNECTED THEREWITH SHALL BE CONTAINED IN AN  
13 INITIATIVE PETITION TO ENABLE THE ELECTORS TO VOTE ON THAT  
14 PROPOSAL SEPARATELY.

15 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF  
16 MISSISSIPPI, That the following amendment to the Mississippi  
17 Constitution of 1890 is proposed to the qualified electors of the  
18 state:

19 Amend Section 273, Mississippi Constitution of 1890, to read  
20 as follows:

21 Section 273. (1) Amendments to this Constitution may be  
22 proposed by the Legislature or by initiative of the people.

23 (2) Whenever two-thirds (2/3) of each house of the  
24 Legislature, which two-thirds (2/3) shall consist of not less than



25 a majority of the members elected to each house, shall deem any  
26 change, alteration or amendment necessary to this Constitution,  
27 such proposed amendment, change or alteration shall be read and  
28 passed by two-thirds (2/3) vote of each house, as herein provided;  
29 public notice shall then be given by the Secretary of State at  
30 least thirty (30) days preceding an election, at which the  
31 qualified electors shall vote directly for or against such change,  
32 alteration or amendment, and if more than one (1) amendment shall  
33 be submitted at one (1) time, they shall be submitted in such  
34 manner and form that the people may vote for or against each  
35 amendment separately; and, notwithstanding the division of the  
36 Constitution into sections, the Legislature may provide in its  
37 resolution for one or more amendments pertaining and relating to  
38 the same subject or subject matter, and may provide for one or  
39 more amendments to an article of the Constitution pertaining and  
40 relating to the same subject or subject matter, which may be  
41 included in and voted on as one (1) amendment; and if it shall  
42 appear that a majority of the qualified electors voting directly  
43 for or against the same shall have voted for the proposed change,  
44 alteration or amendment, then it shall be inserted as a part of  
45 the Constitution by proclamation of the Secretary of State  
46 certifying that it received the majority vote required by the  
47 Constitution; and the resolution may fix the date and direct the  
48 calling of elections for the purposes hereof.



49           (3) The people reserve unto themselves the power to propose  
50 and enact statutory or constitutional amendments by initiative.  
51 An initiative to amend the Mississippi statutes may be proposed by  
52 a petition signed over a twelve-month period by qualified electors  
53 equal in number to at least twenty-five percent (25%) of  
54 registered voters. An initiative to amend the Constitution may be  
55 proposed by a petition signed over a twelve-month period by  
56 qualified electors equal in number to at least \* \* \* forty percent  
57 (40%) of \* \* \* registered voters. The qualified electors signing  
58 the initiative petition shall include their full printed name,  
59 signature, home address and county of residence. The signatures  
60 of the qualified electors from any congressional district shall  
61 not exceed \* \* \* the total number of signatures required to  
62 qualify an initiative petition for placement upon the ballot  
63 divided by the number of congressional districts in existence on  
64 the day the petition is filed. If an initiative petition contains  
65 signatures from a single congressional district which exceed \* \* \*  
66 the total number of required signatures, the excess number of  
67 signatures from that congressional district shall not be  
68 considered by the Secretary of State in determining whether the  
69 petition qualifies for placement on the ballot.

70           (4) Every such petition shall include the full text of the  
71 measure so proposed, and the petition shall be filed with the  
72 Secretary of State not less than four (4) months before the  
73 election at which they are to be voted upon. The Secretary of



74 State, with the advice and consent of the Attorney General, shall  
75 determine whether or not the petition is properly written as a  
76 statutory amendment or a constitutional amendment and shall  
77 certify the initiative.

78 ( \* \* \*5) The sponsor of an initiative shall identify in the  
79 text of the initiative the amount and source of revenue required  
80 to implement the initiative. If the initiative requires a  
81 reduction in any source of government revenue, or a reallocation  
82 of funding from currently funded programs, the sponsor shall  
83 identify in the text of the initiative the program or programs  
84 whose funding must be reduced or eliminated to implement the  
85 initiative. Compliance with this requirement shall not be a  
86 violation of the subject matter requirements of this section of  
87 the Constitution.

88 (6) Only one (1) proposal of law and matters properly  
89 connected therewith shall be contained in an initiative petition  
90 to enable the electors to vote on that proposal separately.

91 ( \* \* \*7) The initiative process shall not be used:

92 (a) For the proposal, modification or repeal of any  
93 portion of the Bill of Rights of this Constitution;

94 (b) To amend or repeal any law or any provision of the  
95 Constitution relating to the Mississippi Public Employees'  
96 Retirement System;

97 (c) To amend or repeal the constitutional guarantee  
98 that the right of any person to work shall not be denied or



abridged on account of membership or nonmembership in any labor union or organization; or

(d) To modify the initiative process for proposing amendments to this Constitution.

( \* \* \*8) The Secretary of State shall file with the Clerk of the House and the Secretary of the Senate the complete text of the certified initiative on the first day of the regular session. A constitutional initiative may be adopted by a majority vote of each house of the Legislature. If the initiative is adopted, amended or rejected by the Legislature; or if no action is taken within four (4) months of the date that the initiative is filed with the Legislature, the Secretary of State shall place the initiative on the ballot for the next statewide general election.

The Chief Legislative Budget Officer shall prepare a fiscal analysis of each initiative and each legislative alternative. A summary of each fiscal analysis shall appear on the ballot.

( \* \* \*9) If the Legislature amends an initiative, the amended version and the original initiative shall be submitted to the electors. An initiative or legislative alternative must receive a majority of the votes thereon and not less than forty percent (40%) of the total votes cast at the election at which the measure was submitted to be approved. If conflicting initiatives or legislative alternatives are approved at the same election, the initiative or legislative alternative receiving the highest number of affirmative votes shall prevail.



( \* \* \*10) If an initiative measure proposed to the Legislature has been rejected by the Legislature and an alternative measure is passed by the Legislature in lieu thereof, the ballot titles of both such measures shall be so printed on the official ballots that a voter can express separately two (2) preferences: first, by voting for the approval of either measure or against both measures, and, secondly, by voting for one (1) measure or the other measure. If the majority of those voting on the first issue is against both measures, then both measures fail, but in that case the votes on the second issue nevertheless shall be carefully counted and made public. If a majority voting on the first issue is for the approval of either measure, then the measure receiving a majority of the votes on the second issue and also receiving not less than forty percent (40%) of the total votes cast at the election at which the measure was submitted for approval shall be law. Any person who votes for the ratification of either measure on the first issue must vote for one (1) of the measures on the second issue in order for the ballot to be valid. Any person who votes against both measures on the first issue may vote but shall not be required to vote for any of the measures on the second issue in order for the ballot to be valid. Substantially the following form shall be \* \* \* in compliance with this subsection:

INITIATED BY PETITION AND ALTERNATIVE BY LEGISLATURE



148 Initiative Measure No. \_\_\_\_\_, entitled (here insert the  
149 ballot title of the initiative measure).

150 Alternative Measure No. \_\_\_\_\_ A, entitled (here insert  
151 the ballot title of the alternative measure).

152 VOTE FOR APPROVAL OF EITHER, OR AGAINST BOTH:

153 FOR APPROVAL OF EITHER Initiative No. \_\_\_\_\_

154 OR Alternative No. \_\_\_\_\_ A ..... ( )

155 AGAINST Both Initiative No. \_\_\_\_\_

156 AND Alternative No. \_\_\_\_\_ A ..... ( )

157 AND VOTE FOR ONE

158 FOR Initiative Measure No. \_\_\_\_\_ ..... ( )

159 FOR Alternative Measure No. \_\_\_\_\_ A..... ( )

160 ( \* \* \*11) No more than five (5) initiative proposals shall  
161 be submitted to the voters on a single ballot, and the first five  
162 (5) initiative proposals submitted to the Secretary of State with  
163 sufficient petitions shall be the proposals which are submitted to  
164 the voters. The sufficiency of petitions shall be decided in the  
165 first instance by the Secretary of State, subject to review by the  
166 Supreme Court of the state, which shall have original and  
167 exclusive jurisdiction over all such cases.

168 ( \* \* \*12) An initiative approved by the electors shall take  
169 effect thirty (30) days from the date of the official declaration  
170 of the vote by the Secretary of State, unless the measure provides  
171 otherwise.



172 ( \* \* \*13) If any amendment to the Mississippi statutes or  
173 the Mississippi Constitution proposed by initiative petition is  
174 rejected by a majority of the qualified electors voting thereon,  
175 no initiative petition proposing the same, or substantially the  
176 same, amendment shall be submitted to the electors for at least  
177 two (2) years after the date of the election on such amendment.

178 ( \* \* \*14) The Legislature shall provide by law the manner  
179 in which initiative petitions shall be circulated, presented and  
180 certified. To prevent signature fraud and to maintain the  
181 integrity of the initiative process, the state has a compelling  
182 interest in \* \* \* ensuring that no person shall circulate an  
183 initiative petition or obtain signatures on an initiative petition  
184 unless the person is a resident of this state at the time of  
185 circulation. For the purposes of this subsection, the term  
186 "resident" means a person who is domiciled in Mississippi as  
187 evidenced by an intent to maintain a principal dwelling place in  
188 Mississippi indefinitely and to return to Mississippi if  
189 temporarily absent, coupled with an act or acts consistent with  
190 that intent. Every person who circulates an initiative petition  
191 shall print and sign his or her name on each page of an initiative  
192 petition, or on a separate page attached to each page, certifying  
193 that he or she was a resident of this state at the time of  
194 circulating the petition. The Secretary of State shall refuse to  
195 accept for filing any page of an initiative petition upon which  
196 the signatures appearing thereon were obtained by a person who was



not a resident of this state at the time of circulating the petition, and an initiative measure shall not be placed on the ballot if the Secretary of State determines that without such signatures the petition clearly bears an insufficient number of signatures. The provisions of this subsection ( \* \* \*14) shall be applicable to all initiative measures that have not been placed on the ballot at the time this proposed amendment is ratified by the electorate.

( \* \* \*15) The Legislature may enact laws to carry out the provisions of this section but shall in no way restrict or impair the provisions of this section or the powers herein reserved to the people.

BE IT FURTHER RESOLVED, That this proposed amendment shall be submitted by the Secretary of State to the qualified electors at an election to be held on the first Tuesday after the first Monday of November 2025, as provided by Section 273 of the Constitution and by general law.

BE IT FURTHER RESOLVED, That the explanation of this proposed amendment for the ballot shall read as follows: "This proposed amendment reinstates the citizen initiative procedure declared invalid by the Mississippi Supreme Court, provides an initiative process to amend the Mississippi statutes requiring 25% of registered voters, provides an initiative process to amend the Mississippi Constitution requiring 40% of registered voters, conforms the pro rata signature requirements of congressional



222 districts for initiative petitions to the current number of  
223 congressional districts, prescribes signature requirements to  
224 include home address and county of residence, and provides that an  
225 initiative proposal shall only address one subject."

