

By: Representatives Guice, Brown, Cummings, Davis, Endt, Evans, Janus, King, McInnis, Miller, Simpson, Smith (39th), Weathersby, Miles To: Constitution

## HOUSE CONCURRENT RESOLUTION NO. 42

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION  
2 109, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT A PUBLIC  
3 OFFICER OR MEMBER OF THE LEGISLATURE IS NOT IN VIOLATION OF THE  
4 PROHIBITION AGAINST HAVING AN INTEREST IN A CONTRACT AUTHORIZED BY  
5 THE BOARD OR BODY OF WHICH HE IS A MEMBER IF THE CONTRACT IS A  
6 CONTRACT OF EMPLOYMENT WITH THE SPOUSE OF THE OFFICER OR  
7 LEGISLATOR AND SUCH OFFICER OR LEGISLATOR DOES NOT USE HIS PUBLIC  
8 OFFICE TO INFLUENCE THE DECISION OF THE BOARD OR BODY OF WHICH HE  
9 IS A MEMBER TO EMPLOY THE SPOUSE OR TO OBTAIN ANY BENEFITS OR  
10 OTHER ADVANTAGES FOR HIMSELF OR HIS SPOUSE; AND FOR RELATED  
11 PURPOSES.

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

16 Amend Section 109, Mississippi Constitution of 1890, to read  
17 as follows:

18 "Section 109. (1) No public officer or member of the  
19 Legislature shall be interested, directly or indirectly, in any  
20 contract with the state, or any district, county, city, or town  
21 thereof, authorized by any law passed or order made by any board  
22 of which he may be or may have been a member, during the term for  
23 which he shall have been chosen, or within one (1) year after the  
24 expiration of such term.

25 (2) A public officer or member of the Legislature does not  
26 have a direct or indirect interest in any contract of employment  
27 of his spouse, and is not in violation of subsection (1) of this  
28 section, unless such officer or Legislator uses his public office  
29 to influence the decision of the board or body of which he is a  
30 member to employ the spouse or to obtain any benefits or other

31 advantages for himself or his spouse."

32 BE IT FURTHER RESOLVED, That this proposed amendment shall be  
33 submitted by the Secretary of State to the qualified electors at  
34 an election to be held on the first Tuesday after the first Monday  
35 of November 1999, as provided by Section 273 of the Constitution  
36 and by general law.

37 BE IT FURTHER RESOLVED, That the explanation of this proposed  
38 amendment for the ballot shall read as follows: "This proposed  
39 constitutional amendment provides that a public officer or member  
40 of the Legislature does not violate the prohibition against having  
41 an interest in a contract authorized by the board or body of which  
42 he is a member if the contract is a contract of employment with  
43 his spouse and he does not use his public office to influence the  
44 board or body to employ the spouse or to obtain any benefits for  
45 himself or his spouse."