

By: Senator(s) Harden

To: Education

SENATE BILL NO. 2316

1 AN ACT TO REQUIRE THE ELECTION OF ALL SCHOOL BOARD MEMBERS IN  
 2 ALL SCHOOL DISTRICTS BEGINNING IN THE YEAR 2004; TO AMEND SECTIONS  
 3 37-7-203 AND 37-7-703, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR  
 4 THE ELECTION OF THE MEMBERS OF SCHOOL BOARDS OF MUNICIPAL SEPARATE  
 5 SCHOOL DISTRICTS AND SPECIAL MUNICIPAL SEPARATE SCHOOL DISTRICTS  
 6 FROM SCHOOL BOARD MEMBER DISTRICTS BY THE QUALIFIED ELECTORS OF  
 7 SUCH DISTRICTS, TO DIRECT THE MUNICIPAL GOVERNING AUTHORITIES TO  
 8 APPORTION THE SCHOOL DISTRICTS INTO FIVE SCHOOL BOARD MEMBER  
 9 DISTRICTS, AND TO PRESCRIBE THE TIME AND MANNER OF SUCH ELECTIONS  
 10 AND THE MANNER IN WHICH VACANCIES ON THE SCHOOL BOARDS SHALL BE  
 11 FILLED; TO AMEND SECTIONS 37-7-201 AND 37-7-221, MISSISSIPPI CODE  
 12 OF 1972, IN CONFORMITY THERETO; TO REPEAL SECTION 37-7-204,  
 13 MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE APPOINTMENT OF  
 14 INTERIM BOARD MEMBERS TO FILL CERTAIN VACANCIES ON THE SCHOOL  
 15 BOARDS OF COUNTYWIDE MUNICIPAL SEPARATE SCHOOL DISTRICTS; TO  
 16 REPEAL SECTIONS 37-7-209 THROUGH 37-7-219, MISSISSIPPI CODE OF  
 17 1972, WHICH PROVIDE CERTAIN METHODS FOR ELECTING TRUSTEES FROM  
 18 ADDED TERRITORY OF MUNICIPAL SEPARATE SCHOOL DISTRICTS; TO REPEAL  
 19 SECTIONS 37-7-705 THROUGH 37-7-717, MISSISSIPPI CODE OF 1972,  
 20 WHICH PROVIDE CERTAIN METHODS FOR SELECTING TRUSTEES OF SPECIAL  
 21 MUNICIPAL SEPARATE SCHOOL DISTRICTS; AND FOR RELATED PURPOSES.

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

23 **SECTION 1.** Section 37-7-203, Mississippi Code of 1972, is  
 24 amended as follows:

25 **[Until January 1, 2004, this section will read as follows:]**

26 37-7-203. (1) The boards of trustees of all municipal  
 27 separate school districts created under \* \* \* this chapter, either  
 28 with or without added territory, shall consist of five (5)  
 29 members, each to be chosen for a term of five (5) years, or for a  
 30 term expiring on the first Monday of July 2004, whichever period  
 31 of time is shorter. Each member of the board of trustees shall be  
 32 chosen so that the term of office of one (1) member shall expire  
 33 each year unless the terms expire on the first Monday of July  
 34 2004. In the event the added territory of a municipal separate  
 35 school district furnishes fifteen percent (15%) or more of the  
 36 pupils enrolled in the schools of such district, then at least one



37 (1) member of the board of trustees of such school district shall  
38 be a resident of the added territory outside the corporate limits.  
39 In the event the added territory of a municipal separate school  
40 district furnishes thirty percent (30%) or more of the pupils  
41 enrolled in the schools of such district, then not more than two  
42 (2) members of the board of trustees of such school district shall  
43 be residents of the added territory outside the corporate limits.  
44 In the event the added territory of a municipal separate school  
45 district in a county in which Mississippi Highways 8 and 15  
46 intersect furnishes thirty percent (30%) or more of the pupils  
47 enrolled in the schools of such district, then the five (5)  
48 members of the board of trustees of such school district shall be  
49 elected at large from such school district for a term of five (5)  
50 years each except that the two (2) elected trustees presently  
51 serving on such board shall continue to serve for their respective  
52 terms of office. The three (3) appointed trustees presently  
53 serving on such board shall continue to serve until their  
54 successors are elected in March of 1975 in the manner provided for  
55 in Section 37-7-215. At such election, one (1) trustee shall be  
56 elected for a term of two (2) years, one (1) for a term of three  
57 (3) years and one (1) for a term of five (5) years. Subsequent  
58 terms for each successor trustee shall be for five (5) years or  
59 for a term expiring on the first Monday of July 2004, whichever  
60 period of time is shorter. In the event one (1) of two (2)  
61 municipal separate school districts located in any county with two  
62 (2) judicial districts, District 1 being comprised of Supervisors  
63 Districts 1, 2, 4 and 5, and District 2 being comprised of  
64 Supervisors District 3, with added territory embraces three (3)  
65 full supervisors districts of a county, one (1) trustee shall be  
66 elected from each of the three (3) supervisors districts outside  
67 the corporate limits of the municipality. In the further event  
68 that the territory of a municipal separate school district located  
69 in any county with two (2) judicial districts, District 1 being



70 comprised of Supervisors Districts 1, 2, 4 and 5, and District 2  
71 being comprised of Supervisors District 3, with added territory  
72 embraces four (4) full supervisors districts in the county, and in  
73 any county in which a municipal separate school district embraces  
74 the entire county in which Highways 14 and 15 intersect, one (1)  
75 trustee shall be elected from each supervisors district.

76 Except as otherwise provided herein, the trustees of such a  
77 municipal separate school district shall be elected by a majority  
78 of the governing authorities of the municipality at the first  
79 meeting of the governing authorities held in the month of February  
80 of each year, and the term of office of the member so elected  
81 shall commence on the first Saturday of March following. In the  
82 case of a member of said board of trustees who is required to come  
83 from the added territory outside the corporate limits as is above  
84 provided, such member of the board of trustees shall be elected by  
85 the qualified electors of the school district residing in such  
86 added territory outside the corporate limits at the same time and  
87 in the same manner as is otherwise provided in this article for  
88 the election of trustees of school districts other than municipal  
89 separate school districts.

90 In the event that a portion of a county school district is  
91 reconstituted, in the manner provided by law, into a municipal  
92 separate school district with added territory and in the event  
93 that the trustees to be elected from the added territory are  
94 requested to be elected from separate election districts within  
95 the added territory, instead of elected at large, by the Attorney  
96 General of the United States as a result of and pursuant to  
97 preclearance under Section 5 of the Voting Rights Act of 1965 as  
98 amended and extended, and in the event the added territory of a  
99 municipal separate school district of a municipality furnishes  
100 thirty percent (30%) or more of the pupils enrolled in the schools  
101 of such district, then two (2) members of the board of trustees  
102 shall be residents of the added territory outside the corporate



103 limits of such municipality and shall be elected from special  
104 trustee election districts by the qualified electors thereof as  
105 herein provided. The governing authorities of such municipality  
106 shall apportion the added territory into two (2) special trustee  
107 election districts as nearly equal as possible according to  
108 population and other factors heretofore pronounced by the courts.  
109 The governing authorities of such municipality shall thereafter  
110 publish the same in a newspaper of general circulation within said  
111 school district for at least two (2) consecutive weeks; and after  
112 having given notice of publication and recording the same upon the  
113 minutes of the governing authorities, said new district lines  
114 shall thereafter be effective. Any person elected from the new  
115 trustee election districts constituted herein shall be elected in  
116 the manner provided for in Section 37-7-215 for a term of five (5)  
117 years or for a term expiring on the first Monday of July 2004,  
118 whichever period of time is shorter. Any vacancy in the office of  
119 a trustee elected from such trustee election district, whether  
120 occasioned by redistricting or by other cause, shall be filled by  
121 appointment of the governing authorities of the municipality,  
122 provided that the person so appointed shall serve only until the  
123 first Saturday of March following his appointment, at which time a  
124 person shall be elected for the remainder of the unexpired term in  
125 the manner provided in Section 37-7-215.

126 In any county organizing a countywide municipal separate  
127 school district after January 1, 1965, the trustees thereof to be  
128 elected from outside the municipality, such trustees shall be  
129 elected by the board of supervisors of such county, and the  
130 superintendent of such school district shall have authority to pay  
131 out and distribute the funds of said district. In the event a  
132 municipal separate school district should occupy territory in a  
133 county other than that in which the municipality is located and  
134 fifteen percent (15%) or more of the pupils enrolled in the  
135 schools of such district shall come from the territory of the



136 district in the county other than that in which the municipality  
137 is located, the territory of such county in which the municipality  
138 is not located shall be entitled to one (1) member on the board of  
139 trustees of such school district. Said trustee shall be a  
140 resident of the territory of that part of the district lying in  
141 the county in which the municipality is not located and shall be  
142 elected by the qualified electors of the territory of such county  
143 at the same time and in the same manner as is provided for the  
144 election of trustees of school districts other than municipal  
145 separate school districts having territory in two (2) or more  
146 counties.

147 All vacancies shall be filled for the unexpired terms by  
148 appointment of the governing authorities of the municipality;  
149 except that in the case of the trustees coming from the added  
150 territory outside the corporate limits, the person so appointed  
151 shall serve only until the first Saturday of March following his  
152 appointment, at which time a person shall be elected for the  
153 remainder of the unexpired term in the manner otherwise provided  
154 herein.

155 No person who is a member of such governing body, or who is  
156 an employee of the municipality, or who is a member of the county  
157 board of education, or who is a trustee of any public, private or  
158 sectarian school or college located in the county, inclusive of  
159 the municipal separate school district, or who is a teacher in or  
160 a trustee of said school district, shall be eligible for  
161 appointment to said board of trustees.

162 (2) In counties of less than fifteen thousand (15,000)  
163 people having a municipal separate school district with added  
164 territory which embraces all the territory of a county, one (1) or  
165 more trustees of such district shall be nominated from each  
166 supervisors district upon petition of fifty (50) qualified  
167 electors of said district, or twenty percent (20%) of the  
168 qualified electors of such district, whichever number shall be



169 smaller, and shall be elected by a plurality of the vote of the  
170 qualified electors of said county. One (1) trustee so elected  
171 shall reside in each supervisors district of the county. In such  
172 counties embraced entirely by a municipal separate school district  
173 there shall be no county board of education after the formation of  
174 such district and the county superintendent of education shall act  
175 as superintendent of schools of said district and shall be  
176 appointed by the board of trustees of said district, and the  
177 provisions of subsection (1) of this section and the first  
178 paragraph of Section 37-7-211 shall not apply to such districts.

179 **[From and after January 1, 2004, this section will read as**  
180 **follows:]**

181 37-7-203. (1) The school boards \* \* \* of all municipal  
182 separate school districts \* \* \* shall consist of five (5) members.  
183 Beginning in 2004, each member shall be elected from a special  
184 school board member district, as provided for under subsection (2)  
185 of this section, by the qualified electors of that district.

186 (2) The municipal governing authority shall apportion the  
187 municipal separate school district, including any added territory,  
188 into five (5) single school board member districts. The school  
189 board member districts shall be as nearly equal as possible  
190 according to population. The municipal governing authority shall  
191 submit the school board member district lines to the Attorney  
192 General of the United States for preclearance or to the United  
193 States District Court for the District of Columbia for a  
194 declaratory judgment in accordance with the provisions of the  
195 Voting Rights Act of 1965, as amended and extended. If the school  
196 board member district lines are precleared by the United States  
197 Department of Justice or approved by the United States District  
198 Court, the municipal governing authority and the school board of  
199 the municipal separate school district shall place upon their  
200 minutes the boundaries established for the five (5) school board  
201 member districts, and the school board shall publish the



202 boundaries in a newspaper of general circulation within the school  
203 district for at least three (3) consecutive weeks. After having  
204 given notice of publication and recording the publication upon the  
205 minutes of the school board, the school board member district  
206 lines shall be effective. As soon as practicable after the  
207 results of the 2010 decennial census and every decennial census  
208 thereafter are published, the municipal governing authority shall  
209 reapportion the school board member districts in the manner  
210 prescribed in this subsection for the creation of the original  
211 districts.

212 (3) On the first Tuesday after the first Monday in June  
213 2004, and every four (4) years thereafter, an election shall be  
214 held in every municipal separate school district, in the same  
215 manner and at the same time as the general municipal elections are  
216 held, for the purpose of electing the members of the school board  
217 of the municipal separate school district. Candidates for the  
218 school board of the municipal separate school district shall file  
219 with the municipal election commissioners, not more than ninety  
220 (90) days and not less than sixty (60) days before the date of the  
221 general election, a petition of nomination signed by at least  
222 fifty (50) or twenty percent (20%) of the qualified electors of  
223 the school board member district, whichever is less. The name of  
224 each qualified candidate shall be placed on the ballot. The  
225 candidate in each school board member district who receives a  
226 majority of the votes cast by the qualified electors in that  
227 district shall be elected. However, if no candidate receives a  
228 majority of the votes, a runoff election shall be held two (2)  
229 weeks after the election. The names of the candidate receiving  
230 the highest number of votes and the candidate, or candidates in  
231 the event of a tie, receiving the next highest vote for the office  
232 shall be placed on the ballot in the runoff election. The person  
233 receiving the highest number of votes cast by the qualified  
234 electors in the runoff election shall be elected. All persons



235 elected to serve on the school board of the municipal separate  
236 school district shall take office on the first Monday of July next  
237 following the date of their election and shall serve for a term of  
238 four (4) years.

239 (4) Notwithstanding any other provision of law to the  
240 contrary, in each municipal separate school district, the terms of  
241 all school board members, whether appointed or elected, existing  
242 on the first Tuesday after the first Monday in June 2004 shall  
243 expire when their duly elected successors take office on the first  
244 Monday of July 2004.

245 (5) Whenever there is a vacancy in the membership of the  
246 school board of the municipal separate school district, the  
247 vacancy shall be filled, depending upon the length of the  
248 unexpired term of the vacated office, in the manner provided under  
249 this subsection.

250 (a) If the unexpired term of the vacated office is six  
251 (6) months or less, the remaining members of the school board  
252 shall appoint, within sixty (60) days after the vacancy occurs, a  
253 person to serve the unexpired portion of the term. The appointee  
254 shall be selected from the qualified electors of the school board  
255 member district in which the vacancy occurs. The chairman of the  
256 school board shall certify to the Secretary of State the fact of  
257 the appointment, and the Governor shall commission the person  
258 appointed.

259 (b) If the unexpired term of the vacated office is  
260 greater than six (6) months, an election shall be held to fill the  
261 vacancy. The school board shall certify in writing the fact of  
262 the vacancy to the governing authority of the municipality. At  
263 the next regular meeting of the governing authority after its  
264 receipt of certification of the vacancy from the school board, the  
265 governing authority shall make and enter on its minutes an order  
266 for an election to be held in the school board member district in  
267 which the vacancy exists and shall fix the date upon which the





268 election shall be held, which date shall not be less than thirty  
269 (30) days nor more than forty-five (45) days after the date upon  
270 which the order is adopted.

271 The municipal clerk shall publish notice of the election in a  
272 newspaper of general circulation within the municipality once each  
273 week for three (3) successive weeks preceding the date of the  
274 election. The first notice must be published at least thirty (30)  
275 days before the date of the election. Notice also shall be given  
276 by the school board by posting a copy of the notice at three (3)  
277 public places in the school board member district in which the  
278 vacancy exists and at the administrative offices of the school  
279 board not less than twenty-one (21) days before the date of the  
280 election.

281 Candidates for the vacated office shall file with the  
282 municipal clerk, not less than ten (10) days before the date of  
283 the election, a petition of nomination signed by at least fifty  
284 (50) or twenty percent (20%) of the qualified electors of the  
285 school board member district, whichever is less. The election  
286 shall be held, as far as practicable, in the same manner as  
287 general elections are conducted under subsection (3) of this  
288 section. The candidate who receives a majority of the votes cast  
289 by the qualified electors in the school board member district  
290 shall be elected. However, if no candidate receives a majority of  
291 the votes, a runoff election shall be held two (2) weeks after the  
292 election. The names of the candidate receiving the highest number  
293 of votes and the candidate, or candidates in the event of a tie,  
294 receiving the next highest vote for the office shall be placed on  
295 the ballot in the runoff election. The person receiving the  
296 highest number of votes cast by the qualified electors in the  
297 runoff election shall be elected. The clerk of the municipal  
298 election commission shall give a certificate of election to the  
299 person elected and shall return to the Secretary of State a copy  
300 of the order of holding the election and its results, certified by



301 the municipal clerk. The Governor shall commission the person  
302 elected to serve the remainder of the unexpired term.

303 However, if nine (9) days before the date of the election  
304 only one (1) person has qualified as a candidate, the governing  
305 authority shall dispense with the election, and the remaining  
306 members of the school board shall appoint that candidate to fill  
307 the unexpired term. If no person has qualified at least nine (9)  
308 days before the election, the governing authority shall dispense  
309 with the election, and the remaining members of the school board  
310 shall appoint a person, selected from the qualified electors of  
311 the school board member district in which the vacancy exists, to  
312 fill the unexpired term. The chairman of the school board shall  
313 certify to the Secretary of State the fact of the appointment, and  
314 the Governor shall commission the person appointed.

315 **SECTION 2.** Section 37-7-703, Mississippi Code of 1972, is  
316 amended as follows:

317 **[Until January 1, 2004, this section will read as follows:]**

318 37-7-703. In all such special municipal separate school  
319 districts which embrace the entire county in which, according to  
320 the latest available federal census, a majority of the inhabitants  
321 of the county reside within the corporate limits of the  
322 municipality, the board of trustees of such special municipal  
323 separate school district shall be chosen and selected in the  
324 manner provided by subsection (1) of Section 37-7-203, and all of  
325 the provisions thereof shall be fully applicable in all respects  
326 to the selection and constitution of such board of trustees.

327 **[From and after January 1, 2004, this section will read as**  
328 **follows:]**

329 37-7-703. (1) In all \* \* \* special municipal separate  
330 school districts, beginning in 2004, the school board \* \* \* of  
331 such special municipal separate school district shall be elected  
332 in the manner provided in this section \* \* \*.



333       (2) Each member of the school board of the special municipal  
334 separate school district shall be elected from a special school  
335 board member district by the qualified electors of that district.  
336 The municipal governing authority shall apportion the special  
337 municipal separate school district, including any added territory,  
338 into five (5) single school board member districts. The school  
339 board member districts shall be as nearly equal as possible  
340 according to population. The municipal governing authority shall  
341 submit the school board member district lines to the Attorney  
342 General of the United States for preclearance or to the United  
343 States District Court for the District of Columbia for a  
344 declaratory judgment in accordance with the provisions of the  
345 Voting Rights Act of 1965, as amended and extended. If the school  
346 board member district lines are precleared by the United States  
347 Department of Justice or approved by the United States District  
348 Court, the municipal governing authority and the school board of  
349 the special municipal separate school district shall place upon  
350 their minutes the boundaries established for the five (5) school  
351 board member districts, and the school board shall publish the  
352 boundaries in a newspaper of general circulation within the school  
353 district for at least three (3) consecutive weeks. After having  
354 given notice of publication and recording the publication upon the  
355 minutes of the school board, the school board member district  
356 lines shall be effective. As soon as practicable after the  
357 results of the 2010 decennial census and every decennial census  
358 thereafter are published, the municipal governing authority shall  
359 reapportion the school board member districts in the manner  
360 prescribed in this subsection for the creation of the original  
361 districts.

362       (3) On the first Tuesday after the first Monday in June  
363 2004, and every four (4) years thereafter, an election shall be  
364 held in every special municipal separate school district, in the  
365 same manner and at the same time as the general municipal



366 elections are held, for the purpose of electing the members of the  
367 school board of the special municipal separate school district.  
368 Candidates for the school board of the special municipal separate  
369 school district shall file with the municipal election  
370 commissioners, not more than ninety (90) days and not less than  
371 sixty (60) days before the date of the general election, a  
372 petition of nomination signed by at least fifty (50) or twenty  
373 percent (20%) of the qualified electors of the school board member  
374 district, whichever is less. The name of each qualified candidate  
375 shall be placed on the ballot. The candidate in each school board  
376 member district who receives a majority of the votes cast by the  
377 qualified electors in that district shall be elected. However, if  
378 no candidate receives a majority of the votes, a runoff election  
379 shall be held two (2) weeks after the election. The names of the  
380 candidate receiving the highest number of votes and the candidate,  
381 or candidates in the event of a tie, receiving the next highest  
382 vote for the office shall be placed on the ballot in the runoff  
383 election. The person receiving the highest number of votes cast  
384 by the qualified electors in the runoff election shall be elected.  
385 All persons elected to serve on the school board of the special  
386 municipal separate school district shall take office on the first  
387 Monday of July next following the date of their election and shall  
388 serve for a term of four (4) years.

389 (4) Notwithstanding any other provision of law to the  
390 contrary, in each special municipal separate school district, the  
391 terms of all school board members, whether appointed or elected,  
392 existing on the first Tuesday after the first Monday in June 2001  
393 shall expire when their duly elected successors take office on the  
394 first Monday of July 2004.

395 (5) Whenever there is a vacancy in the membership of the  
396 school board of the special municipal separate school district,  
397 the vacancy shall be filled, depending upon the length of the



398 unexpired term of the vacated office, in the manner provided under  
399 this subsection.

400 (a) If the unexpired term of the vacated office is six  
401 (6) months or less, the remaining members of the school board  
402 shall appoint, within sixty (60) days after the vacancy occurs, a  
403 person to serve the unexpired portion of the term. The appointee  
404 shall be selected from the qualified electors of the school board  
405 member district in which the vacancy occurs. The chairman of the  
406 school board shall certify to the Secretary of State the fact of  
407 the appointment, and the Governor shall commission the person  
408 appointed.

409 (b) If the unexpired term of the vacated office is  
410 greater than six (6) months, an election shall be held to fill the  
411 vacancy. The school board shall certify in writing the fact of  
412 the vacancy to the governing authority of the municipality. At  
413 the next regular meeting of the governing authority after its  
414 receipt of certification of the vacancy from the school board, the  
415 governing authority shall make and enter on its minutes an order  
416 for an election to be held in the school board member district in  
417 which the vacancy exists and shall fix the date upon which the  
418 election shall be held, which date shall not be less than thirty  
419 (30) days nor more than forty-five (45) days after the date upon  
420 which the order is adopted.

421 The municipal clerk shall publish notice of the election in a  
422 newspaper of general circulation within the municipality once each  
423 week for three (3) successive weeks preceding the date of the  
424 election. The first notice must be published at least thirty (30)  
425 days before the date of the election. Notice also shall be given  
426 by the school board by posting a copy of the notice at three (3)  
427 public places in the school board member district in which the  
428 vacancy exists and at the administrative offices of the school  
429 board not less than twenty-one (21) days before the date of the  
430 election.



431 Candidates for the vacated office shall file with the  
432 municipal clerk, not less than ten (10) days before the date of  
433 the election, a petition of nomination signed by at least fifty  
434 (50) or twenty percent (20%) of the qualified electors of the  
435 school board member district, whichever is less. The election  
436 shall be held, as far as practicable, in the same manner as  
437 general elections are conducted under subsection (3) of this  
438 section. The candidate who receives a majority of the votes cast  
439 by the qualified electors in the school board member district  
440 shall be elected. However, if no candidate receives a majority of  
441 the votes, a runoff election shall be held two (2) weeks after the  
442 election. The names of the candidate receiving the highest number  
443 of votes and the candidate, or candidates in the event of a tie,  
444 receiving the next highest vote for the office shall be placed on  
445 the ballot in the runoff election. The person receiving the  
446 highest number of votes cast by the qualified electors in the  
447 runoff election shall be elected. The clerk of the municipal  
448 election commission shall give a certificate of election to the  
449 person elected and shall return to the Secretary of State a copy  
450 of the order of holding the election and its results, certified by  
451 the municipal clerk. The Governor shall commission the person  
452 elected to serve the remainder of the unexpired term.

453 However, if nine (9) days before the date of the election  
454 only one (1) person has qualified as a candidate, the governing  
455 authority shall dispense with the election, and the remaining  
456 members of the school board shall appoint that candidate to fill  
457 the unexpired term. If no person has qualified at least nine (9)  
458 days before the election, the governing authority shall dispense  
459 with the election, and the remaining members of the school board  
460 shall appoint a person, selected from the qualified electors of  
461 the school board member district in which the vacancy exists, to  
462 fill the unexpired term. The chairman of the school board shall



463 certify to the Secretary of State the fact of the appointment, and  
464 the Governor shall commission the person appointed.

465 **SECTION 3.** Section 37-7-201, Mississippi Code of 1972, is  
466 amended as follows:

467 **[Until January 1, 2004, this section will read as follows:]**

468 37-7-201. In order for a person to be eligible to hold the  
469 office of trustee of any school district, such person must be a  
470 bona fide resident and a qualified elector of such school  
471 district, and, in the case of a school district lying in two (2)  
472 or more counties, but not including municipal separate school  
473 districts, such person must be a bona fide resident and a  
474 qualified elector of the territory entitled to such representation  
475 on the board.

476 **[From and after January 1, 2004, this section will read as**  
477 **follows:]**

478 37-7-201. In order for a person to be eligible to hold the  
479 office of school board member of any school district, such person  
480 must be a bona fide resident and a qualified elector of \* \* \* the  
481 school board member district entitled to such representation on  
482 the school board.

483 **SECTION 4.** Section 37-7-221, Mississippi Code of 1972, is  
484 amended as follows:

485 37-7-221. The election of consolidated or consolidated line  
486 school district trustees shall be held in the manner provided for  
487 in Sections 37-7-223 through 37-7-229 \* \* \*.

488 **SECTION 5.** Section 37-7-204, Mississippi Code of 1972, which  
489 provides for the appointment of interim board members to fill  
490 certain vacancies on the school boards of countywide municipal  
491 separate school districts, shall stand repealed from and after  
492 January 1, 2004.

493 **SECTION 6.** Sections 37-7-209, 37-7-211, 37-7-213, 37-7-215,  
494 37-7-217 and 37-7-219, Mississippi Code of 1972, which provide  
495 certain methods for electing trustees from added territory of



496 municipal separate school districts, shall stand repealed from and  
497 after January 1, 2004.

498         **SECTION 7.** Sections 37-7-705, 37-7-707, 37-7-709, 37-7-711,  
499 37-7-713, 37-7-715 and 37-7-717, Mississippi Code of 1972, which  
500 provide various methods for selecting trustees of special  
501 municipal separate school districts, shall stand repealed from and  
502 after January 1, 2004.

503         **SECTION 8.** The Attorney General of the State of Mississippi  
504 shall submit this act, immediately upon approval by the Governor,  
505 or upon approval by the Legislature subsequent to a veto, to the  
506 Attorney General of the United States or to the United States  
507 District Court for the District of Columbia in accordance with the  
508 provisions of the Voting Rights Act of 1965, as amended and  
509 extended.

510         **SECTION 9.** This act shall take effect and be in force from  
511 and after the date it is effectuated under Section 5 of the Voting  
512 Rights Act of 1965, as amended and extended.

