

By: Senator(s) Huggins

To: Education

SENATE BILL NO. 2099

1 AN ACT TO AMEND SECTION 37-5-19, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE METHOD OF FILLING VACANCIES ON THE COUNTY BOARD OF  
3 EDUCATION; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 37-5-19, Mississippi Code of 1972, is  
6 amended as follows:

7 37-5-19. Vacancies in the membership of the county board of  
8 education shall be filled by appointment, within sixty (60) days  
9 after the vacancy occurs, by the members of the county board of  
10 supervisors. Said appointee shall be selected from the qualified  
11 electors of the district in which the vacancy occurs, and shall  
12 serve until the first Monday of January next succeeding the next  
13 general election, at which general election a member shall be  
14 elected to fill the remainder of the unexpired term in the same  
15 manner and with the same qualifications applicable to the election  
16 of a member for the full term.

17 In the event the vacancy occurs more than five (5) months  
18 prior to the next general election and the members of the board of  
19 supervisors are unable to agree upon an individual to be  
20 appointed, the board of supervisors may certify such disagreement  
21 to the county election commission. Upon the receipt of such a  
22 certificate by the county election commission, or any member  
23 thereof, the commission shall hold a special election to fill the  
24 vacancy, which said election, notice thereof and ballot shall be  
25 controlled by the laws concerning special elections to fill  
26 vacancies in county or county district offices. The person

27 elected at such a special election shall serve for the remainder  
28 of the unexpired term.

29         **SECTION 2.** The Attorney General of the State of Mississippi  
30 shall submit this act, immediately upon approval by the Governor,  
31 or upon approval by the Legislature subsequent to a veto, to the  
32 Attorney General of the United States or to the United States  
33 District Court for the District of Columbia in accordance with the  
34 provisions of the Voting Rights Act of 1965, as amended and  
35 extended.

36         **SECTION 3.** This act shall take effect and be in force from  
37 and after the date it is effectuated under Section 5 of the Voting  
38 Rights Act of 1965, as amended and extended.