

By: Senator(s) Harden

To: Municipalities;
Elections

SENATE BILL NO. 2247

1 AN ACT TO REQUIRE THE ELECTION OF ALL SCHOOL BOARD MEMBERS IN
 2 ALL SCHOOL DISTRICTS BEGINNING IN THE YEAR 2005; 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, 2005, 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 2005, 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 2005, 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 board of trustees of the school district
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 board of trustees of the school district 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 board of trustees of the school district, said new
114 district lines shall thereafter be effective. Any person elected
115 from the new trustee election districts constituted herein shall
116 be elected in the manner provided for in Section 37-7-215 for a
117 term of five (5) years or for a term expiring on the first Monday
118 of July 2005, whichever period of time is shorter. Any vacancy in
119 the office of a trustee elected from such trustee election
120 district, whether occasioned by redistricting or by other cause,
121 shall be filled by appointment of the governing authorities of the
122 municipality, provided that the person so appointed shall serve
123 only until the first Saturday of March following his appointment,
124 at which time a person shall be elected for the remainder of the
125 unexpired term in 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, 2005, 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 2005, 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 2005, 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 2005 shall
243 expire when their duly elected successors take office on the first
244 Monday of July 2005.

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, 2005, 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, 2005, this section will read as**
328 **follows:]**

329 37-7-703. (1) In all * * * special municipal separate
330 school districts, beginning in 2005, * * * the school board * * *
331 of such special municipal separate school district shall be
332 elected 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 2005, 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 2005
393 shall expire when their duly elected successors take office on the
394 first Monday of July 2005.

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, 2005, 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, 2005, 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, 2005.

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, 2005.

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, 2005.

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.