

By: Representative Mayo

To: Municipalities

HOUSE BILL NO. 423

1 AN ACT TO AMEND SECTION 21-9-25, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT CITY MANAGERS MUST POSSESS CERTAIN QUALIFICATIONS IN
3 ORDER TO BE ELIGIBLE TO HOLD THE POSITION OF CITY MANAGER; TO
4 PROVIDE THAT THOSE WHO SERVE AS CITY MANAGER BEFORE JULY 1, 2005,
5 SHALL NOT BE REQUIRED TO POSSESS SUCH QUALIFICATIONS; AND FOR
6 RELATED PURPOSES.

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

8 **SECTION 1.** Section 21-9-25, Mississippi Code of 1972, is
9 amended as follows:

10 21-9-25. The first city council elected under the provisions
11 of this chapter shall at its first meeting employ by majority vote
12 of all its members a city manager who shall be the chief
13 administrative officer of the city. The manager shall receive
14 such compensation as the council shall determine. The person
15 employed as city manager shall hold at least a bachelor's degree
16 from an accredited college or university and shall have
17 knowledgeable experience in any of the following fields: work
18 projection, budget planning, accounting, purchasing, cost control,
19 personnel management and road construction procedures. City
20 managers appointed before July 1, 2005, shall not be required to
21 meet the qualifications stated in this section as a condition of
22 continued employment. The person employed as city manager shall
23 not engage in any other business or profession so long as he or
24 she shall hold the office of city manager. No person elected to
25 the city council shall be eligible for the office of city manager
26 during the term for which he was elected.

27 If the office of city manager becomes vacant, the city
28 council shall appoint without delay a new manager or an acting
29 manager to fill the office until a new manager is designated.

30 In case of the absence or disability of the city manager, the
31 city council may appoint a qualified person to perform the duties
32 of the city manager temporarily.

33 **SECTION 2.** This act shall take effect and be in force from
34 and after July 1, 2005.