

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 293: Congressional primaries; change time for holding in years without presidential election.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

15       **SECTION 1.** Section 23-15-1031, Mississippi Code of 1972, is  
16 amended as follows:

17       23-15-1031. Except as provided by Section 23-15-1081, the  
18 first primary election for \* \* \* Representatives in the Congress  
19 of the United States shall be held on the \* \* \* second Tuesday  
20 in \* \* \* March of the years in which \* \* \* Representatives in the  
21 Congress of the United States are elected, and a second primary,  
22 if necessary, shall be held four (4) weeks thereafter. Each year  
23 in which a presidential election is held, the congressional  
24 primary shall be held as provided in Section 23-15-1081. The  
25 election shall be held in all districts of the state on the same  
26 day. Candidates for United States Senator shall be nominated at  
27 the congressional primary next preceding the general election at  
28 which a senator is to be elected and in the same manner that \* \* \*



29 Representatives in the Congress of the United States are  
30 nominated. The chair and secretary of the state executive  
31 committee shall certify the vote for United States Senator to the  
32 Secretary of State in the same manner that county executive  
33 committees certify the returns of counties in general state and  
34 county primary elections.

35 **SECTION 2.** Section 23-15-299, Mississippi Code of 1972, is  
36 amended as follows:

37 23-15-299. (1) (a) Assessments made pursuant to subsection  
38 (1)(a), (b), (c) and (d) of Section 23-15-297 shall be paid by  
39 each candidate who seeks a nomination in the political party  
40 election to the secretary of the state executive committee with  
41 which the candidate is affiliated by 5:00 p.m. on February 1 of  
42 the year in which the primary election for the office is held or  
43 on the date of the qualifying deadline provided by statute for the  
44 office, whichever is earlier; however, no such assessments may be  
45 paid before January 1 of the year in which the primary election  
46 for the office is held. If February 1 or the date of the  
47 qualifying deadline provided by statute for the office occurs on a  
48 Saturday, Sunday or legal holiday, then the assessments required  
49 to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the  
50 business day immediately following the Saturday, Sunday or legal  
51 holiday.

52 (b) Assessments made pursuant to subsection (3)(a), (b)  
53 and (c) of Section 23-15-297 shall be paid by each independent



54 candidate or special election candidate to the Secretary of State  
55 by 5:00 p.m. on February 1 of the year in which the primary  
56 election for the office is held or on the date of the qualifying  
57 deadline provided by statute for the office, whichever is earlier;  
58 however, no such assessments may be paid before January 1 of the  
59 year in which the primary election for the office is held. If  
60 February 1 or the date of the qualifying deadline provided by  
61 statute for the office occurs on a Saturday, Sunday or legal  
62 holiday, then the assessments required to be paid by this  
63 paragraph (b) shall be paid by 5:00 p.m. on the business day  
64 immediately following the Saturday, Sunday or legal holiday.

65       (2)   (a) Assessments made pursuant to subsection (1)(e) and  
66   (f) of Section 23-15-297, shall be paid by each candidate who  
67 seeks a nomination in the political party election to the circuit  
68 clerk of that candidate's county of residence by 5:00 p.m. on  
69 February 1 of the year in which the primary election for the  
70 office is held or on the date of the qualifying deadline provided  
71 by statute for the office, whichever is earlier; however, no such  
72 assessments may be paid before January 1 of the year in which the  
73 election for the office is held. If February 1 or the date of the  
74 qualifying deadline provided by statute for the office occurs on a  
75 Saturday, Sunday or legal holiday, then the assessments required  
76 to be paid by this paragraph (a) shall be paid by 5:00 p.m. on the  
77 business day immediately following the Saturday, Sunday or legal  
78 holiday. The circuit clerk shall forward the fee and all



79 necessary information to the secretary of the proper county  
80 executive committee within two (2) business days. No candidate  
81 may attempt to qualify with any political party that does not have  
82 a duly organized county executive committee, and the circuit clerk  
83 shall not accept any assessments paid for nonlegislative offices  
84 pursuant to subsection (1)(e) and (f) of Section 23-15-297 if the  
85 circuit clerk does not have contact information for the secretary  
86 of the county executive committee for that political party.

87           (b) Assessments made pursuant to subsection (3)(d) and  
88 (e) of Section 23-15-297 shall be paid by each independent  
89 candidate or special election candidate to the circuit clerk of  
90 that candidate's county of residence by 5:00 p.m. on February 1 of  
91 the year in which the primary election for the office is held or  
92 on the date of the qualifying deadline provided by statute for the  
93 office, whichever is earlier; however, no such assessments may be  
94 paid before January 1 of the year in which the primary election  
95 for the office is held. If February 1 or the date of the  
96 qualifying deadline provided by statute for the office occurs on a  
97 Saturday, Sunday or legal holiday, then the assessments required  
98 to be paid by this paragraph (b) shall be paid by 5:00 p.m. on the  
99 business day immediately following the Saturday, Sunday or legal  
100 holiday. The circuit clerk shall forward the fee and all  
101 necessary information to the secretary of the proper county  
102 election commission within two (2) business days.



103           (3)   (a)   Assessments made pursuant to subsection (1)(g) and  
104   (h) of Section 23-15-297 must be paid by each candidate who seeks  
105   a nomination in the political party election to the secretary of  
106   the state executive committee with which the candidate is  
107   affiliated by 5:00 p.m. \* \* \* seventy-five (75) days before  
108   the \* \* \* congressional preference primary \* \* \*; however, no such  
109   assessments may be paid before \* \* \* December 1 of the year \* \* \*  
110   before the primary election for the office is held. \* \* \*  
111   If \* \* \* seventy-five (75) days before the \* \* \* congressional  
112   preference primary \* \* \* occurs on a Saturday, Sunday or legal  
113   holiday, then the assessments required to be paid by this  
114   paragraph (a) shall be paid by 5:00 p.m. on the business day  
115   immediately following the Saturday, Sunday or legal holiday.

116           (b)   Assessments made pursuant to subsection (3)(f) and  
117   (g) of Section 23-15-297 must be paid by each independent  
118   candidate or special election candidate to the Secretary of State  
119   by 5:00 p.m. \* \* \* seventy-five (75) days before the \* \* \*  
120   congressional preference primary in years in which a \* \* \*  
121   congressional preference primary is held; however, no such  
122   assessments may be paid before \* \* \* December 1 of the year \* \* \*  
123   before the primary election for the office is held. \* \* \*  
124   If \* \* \* seventy-five (75) days before the \* \* \* congressional  
125   preference primary \* \* \* occurs on a Saturday, Sunday or legal  
126   holiday, then the assessments required to be paid by this



paragraph (b) shall be paid by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(4) (a) The fees paid pursuant to subsections (1), (2) and (3) of this section shall be accompanied by a written statement containing the name and address of the candidate, the party with which he or she is affiliated, if applicable, the email address of the candidate, if any, and the office for which he or she is a candidate.

(b) The state executive committee shall transmit to the Secretary of State a copy of the written statements accompanying the fees paid pursuant to subsections (1) and (2) of this section. All copies must be received by the Office of the Secretary of State by not later than 6:00 p.m. on the date of the qualifying deadline; provided, however, the failure of the Office of the Secretary of State to receive such copies by 6:00 p.m. on the date of the qualifying deadline shall not affect the qualification of a person who pays the required fee and files the required statement by 5:00 p.m. on the date of the qualifying deadline. The name of any person who pays the required fee and files the required statement after 5:00 p.m. on the date of the qualifying deadline shall not be placed on the primary election ballot or the general election ballot.

(5) The Secretary of State or the secretary or circuit clerk to whom such payments are made shall promptly receipt for same stating the office for which the candidate making payment is



running and the political party with which he or she is affiliated, if applicable, and he or she shall keep an itemized account in detail showing the exact time and date of the receipt of each payment received by him or her and, where applicable, the date of the postmark on the envelope containing the fee and from whom, and for what office the party paying same is a candidate.

(6) The secretaries of the proper executive committee shall hold the funds to be finally disposed of by order of their respective executive committees. The funds may be used or disbursed by the executive committee receiving same to pay all necessary traveling or other necessary expenses of the members of the executive committee incurred in discharging their duties as committee members, and of their secretary and may pay the secretary such salary as may be reasonable. The Secretary of State shall deposit any qualifying fees received from candidates into the Elections Support Fund established in Section 23-15-5.

(7) (a) Upon receipt of the proper fee and all necessary information, the proper executive committee or the Secretary of State, whichever is applicable, shall then determine at the time of the qualifying deadline, unless otherwise provided by law, whether each candidate is a qualified elector of the state, state district, county or county district which they seek to serve, and whether each candidate meets all other qualifications to hold the office he or she is seeking or presents absolute proof that he or she will, subject to no contingencies, meet all qualifications on



177 or before the date of the general or special election at which he  
178 or she could be elected to office. The proper executive committee  
179 or the Secretary of State, whichever is applicable, shall  
180 determine whether the candidate has taken the steps necessary to  
181 qualify for more than one (1) office at the election. The  
182 committee or the Secretary of State, whichever is applicable,  
183 shall also determine whether any candidate has been convicted (i)  
184 of any felony in a court of this state, (ii) on or after December  
185 8, 1992, of any offense in another state which is a felony under  
186 the laws of this state, (iii) of any felony in a federal court on  
187 or after December 8, 1992, or (iv) of any offense that involved  
188 the misuse or abuse of his or her office or money coming into his  
189 or her hands by virtue of the office. Excepted from the above are  
190 convictions of manslaughter and violations of the United States  
191 Internal Revenue Code or any violations of the tax laws of this  
192 state.

193 (b) If the proper executive committee or the Secretary  
194 of State, whichever is applicable, finds that a candidate either  
195 (i) is not a qualified elector, (ii) does not meet all  
196 qualifications to hold the office he or she seeks and fails to  
197 provide absolute proof, subject to no contingencies, that he or  
198 she will meet the qualifications on or before the date of the  
199 general or special election at which he or she could be elected,  
200 or (iii) has been convicted of a felony or other disqualifying  
201 offense as described in paragraph (a) of this subsection, and not



202 pardoned, then the executive committee shall notify the candidate  
203 and give the candidate an opportunity to be heard. The executive  
204 committee shall mail notice to the candidate at least three (3)  
205 business days before the hearing to the address provided by the  
206 candidate on the qualifying forms, and the committee shall attempt  
207 to contact the candidate by telephone, email and facsimile if the  
208 candidate provided this information on the forms. If the  
209 candidate fails to appear at the hearing or to prove that he or  
210 she meets all qualifications to hold the office subject to no  
211 contingencies, then the name of that candidate shall not be placed  
212 upon the ballot.

213 (c) If the proper executive committee or the Secretary  
214 of State, whichever is applicable, determines that the candidate  
215 has taken the steps necessary to qualify for more than one (1)  
216 office at the election, the action required by Section 23-15-905,  
217 shall be taken.

218 (d) Where there is but one (1) candidate for each  
219 office contested at the primary election, the proper executive  
220 committee or the Secretary of State, whichever is applicable, when  
221 the time has expired within which the names of candidates shall be  
222 furnished shall declare such candidates the nominees.

223 (8) No candidate may qualify by filing the information  
224 required by this section by using the internet.

225 **SECTION 3.** Section 23-15-359, Mississippi Code of 1972, is  
226 amended as follows:



227           23-15-359. (1) Except as provided in this section, the  
228 ballot shall contain the names of all party nominees certified by  
229 the appropriate executive committee, and independent and special  
230 election candidates who have timely filed petitions containing the  
231 required signatures and assessments that must be paid pursuant to  
232 Section 23-15-297, if the candidates and nominees meet all of the  
233 qualifications to hold the office sought. A petition requesting  
234 that an independent or special election candidate's name be placed  
235 on the ballot for any office shall be filed as provided for in  
236 subsection (3) or (4) of this section, as appropriate, and shall  
237 be signed by not less than the following number of qualified  
238 electors:

239           (a) For an office elected by the state at large, not  
240 less than one thousand (1,000) qualified electors.

241           (b) For an office elected by the qualified electors of  
242 a Supreme Court district, not less than three hundred (300)  
243 qualified electors.

244           (c) For an office elected by the qualified electors of  
245 a congressional district, not less than two hundred (200)  
246 qualified electors.

247           (d) For an office elected by the qualified electors of  
248 a circuit or chancery court district, not less than one hundred  
249 (100) qualified electors.



250 (e) For an office elected by the qualified electors of  
251 a senatorial or representative district, not less than fifty (50)  
252 qualified electors.

253 (f) For an office elected by the qualified electors of  
254 a county, not less than fifty (50) qualified electors.

255 (g) For an office elected by the qualified electors of  
256 a supervisors district, not less than fifteen (15) qualified  
257 electors.

258 (h) For the Office of President of the United States, a  
259 party nominee or independent candidate shall pay an assessment in  
260 the amount of Two Thousand Five Hundred Dollars (\$2,500.00).

261 (2) (a) Unless the petition or fee, whichever is  
262 applicable, required above shall be filed as provided for in  
263 subsection (3), (4) or (5) of this section, as appropriate, the  
264 name of the person requested to be a candidate, unless nominated  
265 by a political party, shall not be placed upon the ballot. The  
266 ballot shall contain the names of each candidate for each office,  
267 and the names shall be listed under the name of the political  
268 party that candidate represents as provided by law and as  
269 certified to the circuit clerk by the state executive committee of  
270 the political party. In the event the candidate qualifies as an  
271 independent as provided in this section, he or she shall be listed  
272 on the ballot as an independent candidate.



273 (b) The name of an independent or special election  
274 candidate who dies before the printing of the ballots, shall not  
275 be placed on the ballots.

276 (3) Petitions for offices described in paragraphs (a), (b),  
277 (c), (d) and (e) of subsection (1) of this section shall be filed  
278 with the Secretary of State by no later than 5:00 p.m. on the same  
279 date or business day, as applicable, by which candidates are  
280 required to pay the fee provided for in Section 23-15-297; \* \* \*  
281 and, no petition may be filed before \* \* \* the date specified in  
282 Section 23-15-299.

283 (4) Petitions for offices described in paragraphs (f) and  
284 (g) of subsection (1) of this section shall be filed with the  
285 proper circuit clerk by no later than 5:00 p.m. on the same date  
286 by which candidates are required to pay the fee provided for in  
287 Section 23-15-297; however, no petition may be filed before  
288 January 1 of the year in which the election for the office is  
289 held. The circuit clerk shall notify the county election  
290 commissioners of all persons who have filed petitions with the  
291 clerk. The notification shall occur within two (2) business days  
292 and shall contain all necessary information.

293 (5) The assessment for the office described in paragraph (h)  
294 of subsection (1) of this section shall be paid to the Secretary  
295 of State. The Secretary of State shall deposit any qualifying  
296 fees received from candidates into the Elections Support Fund  
297 established in Section 23-15-5.



298           (6) The election commissioners may also have printed upon  
299 the ballot any local issue election matter that is authorized to  
300 be held on the same date as the regular or general election  
301 pursuant to Section 23-15-375; however, the ballot form of the  
302 local issue must be filed with the election commissioners by the  
303 appropriate governing authority not less than sixty (60) days  
304 before the date of the election.

305           (7) The provisions of this section shall not apply to  
306 municipal elections or to the election of the offices of justice  
307 of the Supreme Court, judge of the Court of Appeals, circuit  
308 judge, chancellor, county court judge, justice court judge and  
309 family court judge.

310           (8) Nothing in this section shall prohibit special elections  
311 to fill vacancies in either house of the Legislature from being  
312 held as provided in Section 23-15-851. In all elections conducted  
313 under the provisions of Section 23-15-851, there shall be printed  
314 on the ballot the name of any candidate who, not having been  
315 nominated by a political party, shall have been requested to be a  
316 candidate for any office by a petition filed with the Secretary of  
317 State and signed by not less than fifty (50) qualified electors.

318           (9) (a) The appropriate election commission shall determine  
319 whether each candidate is a qualified elector of the state, state  
320 district, county or county district they seek to serve, and  
321 whether each candidate meets all other qualifications to hold the  
322 office he or she is seeking or presents absolute proof that he or



323 she will, subject to no contingencies, meet all qualifications on  
324 or before the date of the general or special election at which he  
325 or she could be elected to office. The election commission shall  
326 determine whether the candidate has taken the steps necessary to  
327 qualify for more than one (1) office at the election. The  
328 election commission also shall determine whether any candidate has  
329 been convicted (i) of any felony in a court of this state, (ii) on  
330 or after December 8, 1992, of any offense in another state which  
331 is a felony under the laws of this state, (iii) of any felony in a  
332 federal court on or after December 8, 1992, or (iv) of any offense  
333 that involved the misuse or abuse of his or her office or money  
334 coming into his or her hands by virtue of the office. Excepted  
335 from the above are convictions of manslaughter and violations of  
336 the United States Internal Revenue Code or any violations of the  
337 tax laws of this state.

338 (b) If the appropriate election commission finds that a  
339 candidate either (i) is not a qualified elector, (ii) does not  
340 meet all qualifications to hold the office he or she seeks and  
341 fails to provide absolute proof, subject to no contingencies, that  
342 he or she will meet the qualifications on or before the date of  
343 the general or special election at which he or she could be  
344 elected, or (iii) has been convicted of a felony or other  
345 disqualifying offense as described in paragraph (a) of this  
346 subsection, and not pardoned, then the election commission shall  
347 notify the candidate and give the candidate an opportunity to be



348 heard. The election commission shall mail notice to the candidate  
349 at least three (3) business days before the hearing to the address  
350 provided by the candidate on the qualifying forms, and the  
351 committee shall attempt to contact the candidate by telephone,  
352 email and facsimile if the candidate provided this information on  
353 the forms. If the candidate fails to appear at the hearing or to  
354 prove that he or she meets all qualifications to hold the office  
355 subject to no contingencies, then the name of such candidate shall  
356 not be placed upon the ballot. If the appropriate election  
357 commission determines that the candidate has taken the steps  
358 necessary to qualify for more than one (1) office at the election,  
359 the action required by Section 23-15-905, shall be taken.

360 (10) If after the deadline to qualify as a candidate for an  
361 office or after the time for holding any party primary for an  
362 office, only one (1) person has duly qualified to be a candidate  
363 for the office in the general election, the name of that person  
364 shall be placed on the ballot; provided, however, that if not more  
365 than one (1) person duly qualified to be a candidate for each  
366 office on the general election ballot, the election for all  
367 offices on the ballot shall be dispensed with and the appropriate  
368 election commission shall declare each candidate elected without  
369 opposition if the candidate meets all the qualifications to hold  
370 the office as determined pursuant to a review by the election  
371 commission in accordance with the provisions of subsection (9) of



this section and if the candidate has filed all required campaign finance disclosure reports as required by Section 23-15-807.

(11) The petition required by this section may not be filed by using the internet.

**SECTION 4.** Nomination of candidates for the office of Commissioner of the Yazoo-Mississippi Delta Levee District, by any political party, shall be made by counties, or parts of a county having a levee commissioner, and the primary elections for that purpose shall be held on the second Tuesday in March. The qualification deadline for such election shall be by 5:00 p.m. seventy-five (75) days before the congressional preference primary in years in which a congressional preference primary is held. If seventy-five (75) days before the congressional preference primary in years in which a congressional preference primary is held, occurs on a Saturday, Sunday or legal holiday, then the qualifying deadline shall be by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday. The general primary election laws shall apply to and govern the nomination of candidates for the office of commissioner for the said levee districts in so far as they may be applicable.

**SECTION 5.** Section 8, Chapter 12, Laws of 1928, which provides for the dates of the nominations for Yazoo-Mississippi Delta Levee Commissioners, is repealed.

**SECTION 6.** Section 3 of this act shall be codified as a new section in Chapter 15, Title 23, Mississippi Code of 1972.



397           **SECTION 7.** This act shall take effect and be in force from  
398 and after July 1, 2025.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO AMEND SECTION 23-15-1031, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE TIME FOR HOLDING PRIMARY ELECTIONS FOR  
3 REPRESENTATIVES IN THE CONGRESS OF THE UNITED STATES IN YEARS  
4 WITHOUT A PRESIDENTIAL ELECTION FROM THE FIRST TUESDAY IN JUNE TO  
5 THE SECOND TUESDAY IN MARCH; TO AMEND SECTION 23-15-299,  
6 MISSISSIPPI CODE OF 1972, TO CONFORM BY CHANGING THE QUALIFICATION  
7 DEADLINE TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION  
8 23-15-359, MISSISSIPPI CODE OF 1972, TO CONFORM; TO CREATE A NEW  
9 SECTION OF LAW THAT PROVIDES THE TIMES FOR NOMINATING AND  
10 QUALIFYING FOR THE YAZOO-MISSISSIPPI DELTA LEVEE DISTRICTS; TO  
11 REPEAL SECTION 8, CHAPTER 12, LAWS OF 1928, WHICH PROVIDES FOR THE  
12 DATES OF NOMINATIONS FOR YAZOO-MISSISSIPPI DELTA LEVEE  
13 COMMISSIONERS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

X (SIGNED)  
Sanford

X (SIGNED)  
Tullos

X (SIGNED)  
James-Jones

CONFEREES FOR THE SENATE

X (SIGNED)  
England

X (SIGNED)  
Blackwell

X (SIGNED)  
Blount

