MISSISSIPPI LEGISLATURE REGULAR SESSION 2012

By: Representative Calhoun

To: Apportionment and Elections

HOUSE BILL NO. 1069

AN ACT TO AMEND SECTION 23-15-217, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT AN ELECTION COMMISSIONER RESIGN ONE YEAR BEFORE QUALIFYING AS A CANDIDATE FOR ANOTHER OFFICE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 23-15-217, Mississippi Code of 1972, is amended as follows:

23-15-217. (1) A commissioner of election of any county may be a candidate for any other office at any election held or to be held during the four-year term for which he has been elected to the office of commissioner of election or with reference to which he has acted as such; provided that he <u>is otherwise qualified as a candidate for such</u> office. *** * *** A commissioner of election of any county may be a candidate in a special election to fill a vacancy in any other office, provided he resigns as election commissioner within ten (10) days after the issuance of the notice of a special election by the appropriate authorities.

(2) In any case involving the election of a county election commissioner wherein there is a contest of any nature, including, but not limited to, the right of any person to vote or the counting of any challenge ballot, all the duties and powers of the commission in connection with said contest shall be performed by the board of supervisors, as is contemplated by Section 23-15-215 in cases where there are no commissioners of election in the county.

SECTION 2. The Attorney General of the State of Mississippi shall submit this act, immediately upon approval by the Governor,

or upon approval by the Legislature subsequent to a veto, to the Attorney General of the United States or to the United States District Court for the District of Columbia in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended.

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

ST: Election commissioner; remove requirement to resign 1 year before qualifying for other office.