

3/23 4:24

Chapter No. 441

11/SS01/R616.1

JV / hw / sg

***SENATE BILL NO. 2504***

Originated in Senate

*Herminio Obiang*

Secretary

SENATE BILL NO. 2504

AN ACT TO AMEND SECTION 37-7-711, MISSISSIPPI CODE OF 1972, TO CHANGE THE QUALIFYING DATE REQUIREMENT FOR SCHOOL BOARD TRUSTEES IN CERTAIN SPECIAL MUNICIPAL SEPARATE SCHOOL DISTRICTS EMBRACING AN ENTIRE COUNTY; AND FOR RELATED PURPOSES.

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

**SECTION 1.** Section 37-7-711, Mississippi Code of 1972, is amended as follows:

[Until the date Section 3, Chapter 470, Laws of 2009, is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended, this section shall read as follows:]

37-7-711. In all such special municipal separate school districts which may be so organized, reorganized or reconstituted to embrace the entire county in which the majority of the inhabitants of the county reside outside the corporate limits of the municipality, the name of any qualified elector who is a candidate for the board of trustees of such special municipal separate school district, whether such person be a candidate for an unexpired term or for a full term, shall be placed on the ballot used in the elections, provided that the candidate files with the county election commissioners, not more than ninety (90) days and not less than thirty (30) days prior to the date of such general election, a petition of nomination signed by not less than one hundred fifty (150) qualified electors of the county.

Provided, however, that in any such special municipal separate school district which embraces the entire county and which borders the Mississippi River and in which Interstate Highway 20 and United States Highway 61 intersect and having a population in

excess of forty-seven thousand (47,000) according to the 1990 federal decennial census, the candidate shall be required to file a petition of nomination with the county election commissioners not less than sixty (60) days prior to the date of such general election, in addition to the other requirements prescribed herein.

The candidate in each election who receives the highest number of votes cast in the election shall be declared to have been elected.

[From and after the date Section 3, Chapter 470, Laws of 2009, is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended, this section shall read as follows:]

37-7-711. In all such special municipal separate school districts which may be so organized, reorganized or reconstituted to embrace the entire county in which the majority of the inhabitants of the county reside outside the corporate limits of the municipality, the name of any qualified elector who is a candidate for the board of trustees of such special municipal separate school district, whether such person is a candidate for an unexpired term or for a full term, shall be placed on the ballot used in the elections, provided that the candidate files with the county election commissioners, not more than ninety (90) days and not less than thirty (30) days prior to the date of such general election, a petition of nomination signed by not less than one hundred fifty (150) qualified electors of the county.

Provided, however, that in any such special municipal separate school district which embraces the entire county and which borders the Mississippi River and in which Interstate Highway 20 and United States Highway 61 intersect and having a population in excess of forty-seven thousand (47,000) according to the 1990 federal decennial census, the candidate shall be required to file a petition of nomination with the county election commissioners

not less than sixty (60) days prior to the date of such general election, in addition to the other requirements prescribed herein.

The candidate in each election who receives a majority of the votes cast in the election shall be declared to have been elected. If no candidate receives a majority of the votes cast in the general election, then the two (2) candidates who receive the highest number of votes cast shall have their names submitted as candidates in a runoff election three (3) weeks after the date of the general election, and the candidate who receives a majority of the votes cast in the runoff election must be declared elected.

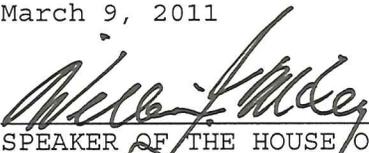
**SECTION 2.** The Attorney General of the State of Mississippi shall submit this act, immediately upon approval by the Governor, or upon approval by the Legislature subsequent to a veto, to the Attorney General of the United States or to the United States District Court for the District of Columbia 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.

PASSED BY THE SENATE  
February 2, 2011

  
\_\_\_\_\_  
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 9, 2011

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

  
\_\_\_\_\_  
GOVERNOR

3/23/11 4:24p